



AGENDA

EL SEGUNDO CITY COUNCIL
REGULAR MEETING
TUESDAY, SEPTEMBER 17, 2024

4:00 PM - CANCELLED
6:00 PM OPEN SESSION

CITY COUNCIL CHAMBER
350 MAIN STREET, EL SEGUNDO, CA 90245

Drew Boyles, Mayor
Chris Pimentel, Mayor Pro Tem
Carol Pirsztuk, Council Member
Lance Giroux, Council Member
Ryan W. Baldino, Council Member

Tracy Weaver, City Clerk
Matthew Robinson, City Treasurer

Executive Team

Darrell George, City Manager
Barbara Voss, Deputy City Manager
Saul Rodriguez, Police Chief
Michael Allen, Community Development Dir.
Jose Calderon, IT Director
Aly Mancini, Recreation, Parks & Library Dir.

Mark Hensley, City Attorney
Paul Chung, Chief Financial Officer
George Avery, Fire Chief
Rebecca Redyk, HR Director
Elias Sassoon, Public Works Dir.

MISSION STATEMENT:

“Provide a great place to live, work, and visit.”

VISION STATEMENT:

“Be a global innovation leader where big ideas take off while maintaining our unique small-town character.”

The City Council, with certain statutory exceptions, can only act upon properly posted and listed agenda items. Any writings or documents given to a majority of City Council regarding any matter on this agenda that the City received after issuing the agenda packet are available for public inspection in the City Clerk's Office during normal business hours. Such documents may also be posted on the City's website at www.elsegundo.org and additional copies will be available at the City Council meeting.

Unless otherwise noted in the agenda, the public can only comment on City-related business that is within the jurisdiction of the City Council and/or items listed on the agenda during the Public Communications portions of the Meeting. Additionally, members of the public can comment on any Public Hearing item on the agenda during the Public Hearing portion of such item. The time limit for comments is five (5) minutes per person.

Those wishing to address the City Council are requested to complete and submit to the City Clerk a "Speaker Card" located at the Council Chamber entrance. You are not required to provide personal information in order to speak, except to the extent necessary for the City Clerk to call upon you, properly record your name in meeting minutes and to provide contact information for later staff follow-up, if appropriate.

When a Council Member duly requires AB 2449 teleconferencing to attend the City Council meeting the public will also be able to access the meeting and provide public comment via Zoom. To access Zoom from a PC, Mac, iPad, iPhone, or Android device, use URL <https://zoom.us/j/81951332052> and enter PIN: 903629 or visit www.zoom.us on device of choice, click on "Join a Meeting" and enter meeting ID: 81951332052 and PIN: 903629. If joining by phone, dial 1-669-900-9128 and enter meeting ID and PIN. *To reiterate, attending a City Council meeting by Zoom will only be used when AB 2449 is used.*

NOTE: Your phone number is captured by the Zoom software and is subject to the Public Records Act, dial *67 BEFORE dialing in to remain anonymous. Members of the public will be placed in a "listen only" mode and your video feed will not be shared with City Council or members of the public.

REASONABLE ACCOMMODATIONS: In compliance with the Americans with Disabilities Act and Government Code Section 54953(g), the City Council has adopted a reasonable accommodation policy to swiftly resolve accommodation requests. The policy can also be found on the City's website at <https://www.elsegundo.org/government/departments/city-clerk>. Please contact the City Clerk's Office at (310) 524-2308 to make an accommodation request or to obtain a copy of the policy.

4:00 PM CLOSED SESSION - CANCELLED

6:00 PM – CONVENE OPEN SESSION – CALL TO ORDER / ROLL CALL

INVOCATION – Rabbi Dovid Lisbon, Jewish Community Center

PLEDGE OF ALLEGIANCE – Council Member Giroux

SPECIAL PRESENTATIONS

1. United Against Hate Week
2. Recreation, Parks, and Library Department Summer Programming Review
3. Commendation to Allison Reaser-Halverson for Winning the Women's Decathlon World Championship

PUBLIC COMMUNICATIONS – (RELATED TO CITY BUSINESS ONLY – 5 MINUTE LIMIT PER PERSON, 30 MINUTE LIMIT TOTAL) *Individuals who have received value of \$50 or more to communicate to the City Council on behalf of another, and employees speaking on behalf of their employer, must so identify themselves prior to addressing the City Council. Failure to do so shall be a misdemeanor and punishable by a fine of \$250. While all comments are welcome, the Brown Act does not allow Council to take action on any item not on the agenda. The Council will respond to comments after Public Communications is closed.*

CITY MANAGER FOLLOW-UP COMMENTS – (Related to Public Communications)

A. PROCEDURAL MOTIONS

Read All Ordinances and Resolutions on the Agenda by Title Only

Recommendation -

Approval

B. CONSENT

4. City Council Meeting Minutes

Recommendation -

1. Approve regular City Council meeting minutes for September 3, 2024.
2. Alternatively, discuss and take other action related to this item.

5. Warrant Demand Register for August 19, 2024 through September 1, 2024

Recommendation -

1. Ratify payroll and employee benefit checks; checks released early due to contracts or agreements; emergency disbursements and/or adjustments; and, wire transfers.

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2. Approve Warrant Demand Register numbers 4B and 5A: warrant numbers 3052040 through 3052219, and 9003216 through 9003219.
 3. Alternatively, discuss and take other action related to this item.

6. **Notice of Completion and Agreement Amendments for El Segundo Boulevard Improvement Project**

Recommendation -

1. Accept El Segundo Boulevard Improvement Project No. PW 23-02 by Sully-Miller Contracting Company as complete.
2. Authorize the City Clerk to file and record a Notice of Completion with the Los Angeles County Recorder's Office.
3. Authorize an increase in the construction contingencies by \$150,000 from \$700,000 to \$850,000 for Sully-Miller Contracting Company from Proposition C funds, and authorize the City Manager to execute an amendment to Agreement No. 6547 with Sully-Miller Contracting Company to increase the agreement amount by \$150,000 for a total not-to-exceed amount of \$7,436,035.30.
4. Authorize an increase in the construction management contingencies by \$146,688.63 from \$30,000 to \$176,688.63, and authorize the City Manager to execute an amendment to Agreement No. 6600 with Z&K Consultants to increase the agreement amount by \$146,688.63 for a total not-to-exceed amount of \$436,248.63, payable from Proposition C funds.
5. Alternatively, discuss and take other action related to this item.

7. **Notice of Completion for Center Street Storm Drain Improvements Project**

Recommendation -

1. Accept Center Street Storm Drain Improvements Project No. PW 24-04 by Palp, Inc. DBA Excel Paving Company as complete.
2. Authorize the City Clerk to file a Notice of Completion with the Los Angeles County Recorder's Office.
3. Alternatively, discuss and take other action related to this item.

8. **Self-Contained Breathing Apparatus Donation to El Camino College**

Recommendation -

1. Declare 26 self-contained breathing apparatus harnesses and 40 apparatus bottles past their service life and surplus property.

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2. Authorize the donation of the self-contained breathing apparatus harnesses and apparatus bottles to El Camino College.
 3. Authorize the City Manager, or designee, in a form approved by the City Attorney, to draft an agreement releasing title and all liability to accompany the El Camino College donation.
 4. Alternatively, discuss and take other action related to this item.

9. Agreement Amendments for Garon Wyatt Investigative Services and Nicole Miller & Associates for Confidential Personnel Investigations

Recommendation -

1. Authorize the City Manager to approve a third amendment to Agreement No. 6041 with Garon Wyatt Investigative Services for an additional \$50,000 for confidential personnel investigative services, increasing the total payable compensation to \$100,000.
2. Authorize the City Manager to approve an amendment to Agreement No. 6860 with Nicole Miller & Associates for an additional \$25,000 for confidential personnel investigative services, increasing the total payable compensation to \$75,000.
3. Alternatively, discuss and take other action related to this item.

10. Agreement with El Segundo Unified School District to Allow the Use of the City Council Chamber and Executive Conference Room for Board of Education Meetings

Recommendation -

1. Authorize the City Manager to execute a license agreement with the El Segundo Unified School District to allow the use of the City Council Chamber and Executive Conference Room for School Board Meetings on the second and fourth Tuesday of each month, through August 2025.
2. Alternatively, discuss and take other action related to this item.

11. Request to Waive El Segundo Municipal Code § 10-1-4(C) to Allow Alcohol on City Property for the El Segundo Kiwanis Main Street Fair

Recommendation -

1. Approve request to waive El Segundo Municipal Code § 10-1-4(C) to allow alcohol in the City-owned parking lot at the north-east corner of Main Street and Grand Avenue for the El Segundo Kiwanis Main Street Fair on Saturday, September 28, 2024.

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2. Alternatively, discuss and take other action.

12. Second Reading of an Ordinance Amending El Segundo Municipal Code Titles 7, 9, and 10 to Establish Camping and Associated Regulations on Public Property and Rules of Conduct for the El Segundo Public Library

Recommendation -

1. Waive the second reading, including by title, and adopt an ordinance amending El Segundo Municipal Code Titles 7, 9, and 10 to establish camping and associated regulations on public property and rules of conduct for the El Segundo Public Library and find that such actions are exempt from the California Environmental Quality Act, pursuant to Guidelines §§ 15060(c)(3), 15061(b)(3), and 15378.
2. Alternatively, discuss and take other action related to this item.

13. Subcontractor Substitution for the Construction of the Urho Saari Swim Stadium/Plunge Renovation Project

Recommendation -

1. Authorize the City Manager to substitute a subcontractor other than that designated in the original bid on Agreement No. 6864 for the Urho Saari Swim Stadium/Plunge Renovation Project.
2. Alternatively, discuss and take other action related to this item.

C. PUBLIC HEARINGS

D. STAFF PRESENTATIONS

14. Continue Emergency Action for the Repair of the Storm Drain Pipe on Grand Avenue

Recommendation -

1. Receive and file staff's report regarding the status of the emergency repairs to the storm drain pipe on Grand Avenue, west of Indiana Street.
2. Adopt a motion by four-fifths vote to determine the need to continue the emergency action approved under Resolution No. 5503.

15. Recreation Park Renovation Project Phase One - Proposed Teen Plaza Renovation Options

Recommendation -

1. Direct staff to move forward with Option 1, 2, or 3 for the Teen Plaza renovations.

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2. Alternatively, discuss and take other action related to this item.

16. Third and Fourth Quarter Fiscal Year 2023-24 Financial Report

Recommendation -

1. Receive and file financial review for FY 2023-24 third and fourth quarters.
2. Alternatively, discuss and take other action related to this item.

E. COMMITTEES, COMMISSIONS AND BOARDS PRESENTATIONS

17. Planning Commission Update

Recommendation -

1. Receive and file the Planning Commission update.
2. Alternatively, discuss and take other action related to this item.

F. REPORTS - CITY CLERK

G. REPORTS - CITY TREASURER

H. REPORTS - COUNCIL MEMBERS

COUNCIL MEMBER BALDINO

COUNCIL MEMBER GIROUX

COUNCIL MEMBER PIRSZTUK

MAYOR PRO TEM PIMENTEL

MAYOR BOYLES

I. REPORTS - CITY ATTORNEY

J. REPORTS/FOLLOW-UP - CITY MANAGER

CLOSED SESSION

The City Council may move into a closed session pursuant to applicable law, including the Brown Act (Government Code Section §54960, et seq.) for the purposes of conferring with the City's Real Property Negotiator; and/or conferring with the City Attorney on potential and/or existing litigation; and/or discussing matters covered under Government Code Section §54957 (Personnel); and/or conferring with the City's Labor Negotiators.

REPORT OF ACTION TAKEN IN CLOSED SESSION (if required)

MEMORIALS

ADJOURNMENT

POSTED:

DATE: September 11, 2024

TIME: 7:00 PM

BY: Tracy Weaver, City Clerk


Proclamation


City of El Segundo, California




- WHEREAS,** The United States is a nation of immigrants, whose strength comes from its diversity; and
- WHEREAS,** The constitution enshrines equality on all individuals, regardless of race, gender, orientation, religion, or political views; and
- WHEREAS,** Hate speech is increasingly prevalent and propagates discriminatory views against groups and individuals; and
- WHEREAS,** The City of El Segundo does not condone or tolerate discrimination in any form; and
- WHEREAS,** Deep divisions within our country are the result of extreme ideology, further strengthening a cycle of mistrust and suspicion fueled by fear, anxiety, and insecurity. The number of hate crimes across the United States has increased dramatically; and
- WHEREAS,** The City of El Segundo is dedicated to preventing and opposing hate and intolerance in our community. The City Council presents this proclamation in support of LA vs Hate *United Against Hate Week 2024*, and city activities to stop hate, intolerance and bullying and promote safe, inclusive and equitable neighborhoods; and
- WHEREAS,** Education, compassion, critical thinking, and cooperation are key to unlocking understanding and embracing differences between people.


NOW, THEREFORE, on this 17th day of September, 2024, the Mayor and Members of the City Council of the City of El Segundo, California, hereby proclaim September 21-27 LA vs Hate *United Against Hate Week* and join other communities in California and cities across this country in this third annual LA vs Hate *United Against Hate Week 2024* as an important step in bridging divisions while strengthening and healing our communities.


Chris Pimentel
Mayor Pro Tem


Drew Boyles
Mayor


Carol Pirsztuk
Councilmember


Lance Giroux
Councilmember


Ryan Baldino
Councilmember

MEETING MINUTES OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, SEPTEMBER 3, 2024

CLOSED SESSION – Cancelled

OPEN SESSION – Mayor Boyles called to order at 6:00 PM

ROLL CALL

Mayor Boyles - Present
Mayor Pro Tem Pimentel - Present
Council Member Pirsztuk - Present
Council Member Giroux - Present
Council Member Baldino - Present

INVOCATION – Pastor Scott Tannehill, Bridge Church

PLEDGE OF ALLEGIANCE – Council Member Pirsztuk

SPECIAL PRESENTATIONS:

1. Congressional Representative Ted Lieu Announced Grant to Upgrade the City's Emergency Operations Center.

PUBLIC COMMUNICATIONS – (Related to City Business Only – 5-minute limit per person, 30-minute limit total)

Terry Ceretto, resident, commented on high prices of groceries at Ralph's and gas at Chevron stations in town.

Due to item #H20, the following are comments regarding the item.

Gordan Landis, resident, commented on parking permit issues in Zone 3

Yann Petit, resident, commented on parking permit issues in Zone 3

Kelsey Kalemkarian, resident, commented on parking permit issues in Zone 3

Jennie Pastorelli, resident, commented on parking permit issues in Zone 3

Tamiko Bugden, resident, commented on parking permit issues in Zone 3

Sayda Foell, resident, commented on parking permit issues in Zone 3

Phelan Archuleta, resident, commented on parking permit issues in Zone 3

William Brumbach, resident, commented on parking permit issues in Zone 3

Sharon Velasquez Veliz, resident, commented on parking permit issues in Zone 3

Matt Theisner, resident, commented on parking permit issues in Zone 3

Karen Proell, resident, commented on parking permit issues in Zone 3

Suspended public communications to discuss item #H20

H. REPORTS – COUNCIL MEMBERS

Council Member Giroux –

20. Resolution to Amend Preferential Parking Zone 3
(Fiscal Impact: None)

Council Member Giroux reported on the item.

Council discussion

Joaquin Vazquez, Assistant City Attorney read by title only;

RESOLUTION NO. 5507

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL SEGUNDO,
CALIFORNIA DESIGNATING PREFERENTIAL PARKING ZONE NO. 3 AND
ASSOCIATED HOURLY RESTRICTIONS PURSUANT TO VEHICLE CODE § 22500
ET SEQ.

MOTION by Council Member Pirsztuk, SECONDED by Council Member Giroux
adopting Resolution No. 5507. MOTION PASSED. 5/0

Continued public communications

Genesis Puckett, resident, commented on item #C12, (water tower)
John Pickhaver, resident, commented on item #C12, (water tower)
Wallace McGuire, resident, commented on item #C12, (water tower)
Bryan Barsness, resident, commented on item #C12, (water tower)
Leila Schuh, resident, commented on item #C12, (water tower)
Ben Watkins, resident, commented Council's transparency and accountability
Keith Puckett, resident, commented Council's transparency and accountability
Kelly Stuart, resident, commented Council's transparency and accountability
Brendan Gormley, resident, AYSO facility use of soccer fields
George Barks, non-resident, stated he is running for Assembly District 66
Kent Allen, non-resident, supports George Barks for Assembly District 66

CITY MANAGER FOLLOW-UP COMMENTS:

- A. Read all Ordinances and Resolutions on the Agenda by Title Only.

MOTION by Council Member Giroux, SECONDED by Mayor Pro Tem Pimentel to read
all ordinances and resolutions on the agenda by title only. MOTION PASSED. 5/0

B. CONSENT:

2. Approve regular and special City Council meeting minutes of August 20, 2024.
(Fiscal Impact: None)
3. Approve warrants demand register for July 29, 2024 through August 18, 2024,
numbers 3A, 3B and 4A: warrant numbers 3051682 through 3052039, and
9003199 through 9003215. Ratify Payroll and employee benefit Checks; Checks

released early due to contracts or agreement; Emergency disbursements and/or adjustments; and, Wire transfers.
(Fiscal Impact: (\$9,591,741.69 (\$2,759,228.36 in check warrants and \$6,832,513.33 in wire warrants))

4. Approve continuing appropriations from FY 2023-24 to FY 2024-25, thereby amending the Fiscal Year 2024-25 Adopted Budget in the Funds and by the amounts contained in Attachment 1. (See staff report for amounts)
(Fiscal Impact: Carryover of \$17,259,408.28 from FY 2023-24 to FY 2024-25)
5. Authorize the City Manager to execute standard Public Works Construction Contract No. 7088 with CJ Concrete Construction for \$178,073 for the FY 2024-25 concrete improvements project and authorize an additional \$17,807 as contingency funds for potential unforeseen conditions. (Project No. PW 24-09).
(Fiscal Impact: \$200,000 included in adopted FY 2024-25 budget)
6. Waive the second reading, including by title, and adopt Ordinance No. 1663 amending El Segundo Municipal Code Chapter 1-6 to reduce the list of positions exempt from the Civil Service System
(Fiscal Impact: None)
7. Adopt Resolution No. 5502 approving engineering plans and construction specifications for the Library Elevator Modernization Project to avail the City of Government Code § 830.6 immunities and establishing a project payment account and authorize staff to advertise the project for construction bidding. (Project No. PW 24-03)
(Fiscal Impact: \$185,000 included in adopted FY 2024-25 budget)
8. Accept the City Hall Phase 2 Improvements by MCM Construction, Inc. as complete, authorize and direct the City Clerk to file Notice of Completion with the Los Angeles County Recorder's Office. (Project No. PW 23-09)
(Fiscal Impact: \$700,000, adopted FY 2023-24 Capital Improvement Program ("CIP") budget. The total project cost is \$695,256.39)
9. Authorize the City Manager to execute one-year hardware and subscription support renewal Agreement No. 7089 with Tec-Refresh, Inc. for \$127,801.18 to provide continued internet access and cybersecurity protection as a cooperative purchase pursuant to ESMC § 1-7-9(C).
(Fiscal Impact: \$ 127,801.18, included in adopted FY 2024-25 budget)
10. Pursuant to Public Contract Code §§ 22050 and 20168, adopt Resolution No. 5503 by four-fifths vote, confirming that a local emergency, as declared by the City Manager, has existed, authorizing emergency contracting without public bidding, award Contract No. 7087 to Williams Pipeline Contractors, Inc. for the emergency repair of the damaged storm drain pipe that caused a sinkhole on Grand Avenue, appropriate \$100,000 (\$90,000 plus \$10,000 contingency) from the General Fund Reserves to FY 2024-25 budget expenditure account 001-400-4302-6215 and authorize the City Manager (or designee) to execute any

documents or agreements needed to complete the necessary emergency repairs.

(Fiscal Impact: \$100,000, the emergency repair work for the sinkhole on Grand Avenue was not anticipated and not included in the adopted FY 2024-25 budget. A budget appropriation from the General Fund Reserves is required)

11. PULLED BY MAYOR PRO TEM PIMENTEL

MOTION by Mayor Pro Tem Pimentel, SECONDED by Council Member Giroux approving Consent items 2, 3, 4, 5, 6, 7, 8, 9, and 10. MOTION PASSED. 5/0

PULLED ITEMS:

11. Designation of Voting Delegate and Alternate to the Cal Cities - 2024 Annual Conference & Expo
(Fiscal Impact: None)

Council discussion

MOTION by Mayor Boyles, SECONDED by Council Member Giroux approving Mayor Pro Tem Pimentel as the voting delegate and Mayor Boyles and Darrell George, City Manager as the alternate delegates to the Cal Cities - 2024 Annual Conference & Expo. MOTION PASSED. 5/0

C. STAFF PRESENTATIONS:

12. Water Tower Illumination Schedule
(Fiscal Impact: None)

Elias Sassoon, Public Works Director gave a presentation.

Council Discussion

MOTION by Mayor Boyles, SECONDED by Council Member Baldino directing staff to merge/include options 1 & 2 (see agenda staff report for all options), add observance of regional sports championship teams, establish a schedule and time frames for lighting the water tower during the events, and bring the schedule and time frames back for Council approval. MOTION PASSED. 5/0

Moved forward on the agenda per Mayor Boyles

G. REPORTS – CITY TREASURER –

19. Investment Portfolio Report for June 2024
(Fiscal Impact: None)

Matthew Robinson, City Treasurer gave a presentation.

Council discussion

Council consensus to receive and file the presentation.

Moved forward on the agenda per Mayor Boyles

E. COMMITTEES, COMMISSIONS AND BOARDS PRESENTATIONS:

18. Multi-Model Transportation Subcommittee Update
(Fiscal Impact: None)

Jay Hoeschler, Planning Commission Vice Chair gave a presentation.

Council discussion

Council consensus to receive and file the presentation.

Moved forward on the agenda per Mayor Boyles

15. Approval of the Revised Athletic Field/Facility Use and Allocation Policy
(Fiscal Impact: None)

Aly Mancini, Recreation, Parks, and Library Director gave a presentation.

Council Discussion

Council requests;

- Use of Stevenson Field for other sports other than baseball.
- Data on user groups using what fields.
- Name – Youth Sports Advisory

Item to be brought back in October along with the Joint Use Agreement data.

13. Memorandum of Understanding Between the City of El Segundo and the El Segundo City Employees' Association, American Federation of State, County, and Municipal Employees, Local 3519 Bargaining Unit and Amendment to the City Contributions for California Public Employees' Retirement System Medical Premiums
(Fiscal Impact: \$815,330, the total cost of the successor El Segundo City Employees' Association (CEA) Memorandum of Understanding (MOU) is \$2,382,821 for the term October 1, 2023 through June 30, 2027. The fiscal impact for FY 2024-25 is \$815,330. A budget appropriation from the General Fund Reserves is required as it was not included in the adopted FY 2024-25 budget)

Rebecca Redyk, Human Resources Director reported on the item.

Council discussion

Joaquin Vazquez, Assistant City Attorney, read by title only;

RESOLUTION NO. 5504

A RESOLUTION APPROVING AND ADOPTING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF EL SEGUNDO AND THE EL SEGUNDO CITY EMPLOYEES' ASSOCIATION, AFSCME, LOCAL 3519 BARGAINING UNIT

Joaquin Vazquez, Assistant City Attorney, read by title only;

RESOLUTION NO. 5505

FIXING THE EMPLOYER CONTRIBUTION UNDER THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT AT AN EQUAL AMOUNT FOR EMPLOYEES AND ANNUITANTS WITH RESPECT TO A RECOGNIZED EMPLOYEE ORGANIZATION 003 EL SEGUNDO CITY EMPLOYEES' ASSOCIATION

MOTION Council Member Pirsztuk, SECONDED by Council Member Giroux adopting Resolution No. 5504 and Resolution No. 5505. MOTION PASSED. 5/0

MOTION by Council Member Giroux, SECONDED by Council Member Pirsztuk approving the appropriation of \$815,330 from the General Fund reserves to the various FY 2024-25 salaries and wages budget expenditure accounts. MOTION PASSED. 5/0

14. Second Amendment to the City Manager's Employment Agreement, a Resolution Adjusting Associated Salary Range, and Accompanying Budget Appropriation (Fiscal Impact: \$14,351, the total fiscal impact of the proposed amendment is \$14,351.21 for FY 2024-25. Funds were not included in the adopted FY 2024-25 budget and require additional appropriation from the General Fund Reserves)

Rebecca Redyk, Human Resources Director reported on the item.

Council discussion

MOTION by Council Member Giroux, SECONDED by Council Member Baldino approving second Amendment No. 6420B to the City Manager's employment agreement to provide a four percent (4%) base salary increase (\$280,800 to \$292,032) and extend the term through June 30, 2026. MOTION PASSED. 5/0

Joaquin Vazquez, Assistant City Attorney, read by title only;

RESOLUTION NO. 5506

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL SEGUNDO, CALIFORNIA, MODIFYING THE ANNUAL SALARY RANGE FOR THE CITY MANAGER JOB CLASSIFICATION

MOTION by Council Member Baldino, SECONDED by Council Member Giroux adopting Resolution No. 5506. MOTION PASSED. 5/0

MOTION by Mayor Boyles, SECONDED by Council Member Baldino approving the appropriation of \$14,351 to the FY 2024-25 budget to associated expenditure accounts. MOTION PASSED. 5/0

16. First Reading of an Ordinance Amending El Segundo Municipal Code Titles 7, 9, and 10 to Establish Camping and Associated Regulations on Public Property and Rules of Conduct for the El Segundo Public Library
(Fiscal Impact: None)

Joaquin Vazquez, Assistant City Attorney gave a presentation.

Amendment to the Ordinance – Amend (Section 7-8-5 ESMC) the 24 hour notice to remove any campsite with an exception to address an immediate threat to public health, safety, or welfare.

Council discussion

Joaquin Vazquez, Assistant City Attorney, read by title only;

ORDINANCE NO. 1664

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL SEGUNDO, CALIFORNIA, AMENDING CHAPTER 6 (GENERAL OFFENSES) OF TITLE 7 (NUISANCES AND OFFENSES) OF THE EL SEGUNDO MUNICIPAL CODE; ADDING CHAPTER 8 (PROHIBITED CAMPING) TO TITLE 7 (NUISANCES AND OFFENSES) TO THE CODE; AMENDING CHAPTERS 1 (PARK RULES AND REGULATIONS) AND 3 (BEACH REGULATIONS) OF TITLE 10 (PARKS AND RECREATION); AND AMENDING CHAPTER 7 (PUBLIC BUILDINGS) OF TITLE 9 (PUBLIC WAYS AND PROEPRTY) TO ESTABLISH ANTI-CAMPING AND ASSOCIATED REGULATIONS ON PUBLIC PROPERTY AND AUTHORIZE THE ADOPTION AND ENFORCEMENT OF EL SEGUNDO PUBLIC LIBRARY RULES OF CONDUCT

Council Member Pirsztuk introduced Ordinance No. 1664 as amended. The second reading and possible adoption is scheduled for the regular City Council meeting of September 17, 2024.

17. Agreement with Nationwide Environmental Services for Citywide Street Sweeping Services
(Fiscal Impact: \$217,000, additional appropriation of \$306,000 (Includes \$30,000.00 for contingency), the cost for the first year of service under the new agreement would be \$522,444 (\$492,444, plus a contingency of \$30,000). Funds were not included in the adopted FY 2024-25 budget and require additional appropriation from the General Fund Reserves)

Daniel Pankau, Environmental Programs Manager gave a presentation.

Council discussion

Council requested an update on the legislation in April or March 2025.

MOTION by Council Member Pirsztuk, SECONDED by Mayor Pro Tem Pimentel to waive the formal bidding and authorize the City Manager to execute new five-year Agreement No. 7091 with Nationwide Environmental Services for a total amount not to exceed \$2,817,235.28 for citywide street sweeping services pursuant to ESMC § 1-7-9(A) and appropriate \$306,000 funding to the FY 2024-25 budget to expenditure account 001-400-4201-6206. MOTION PASSED. 4/1 Yes: Boyles Pimentel Pirsztuk Baldino
No: Giroux

Item #E18 moved forward on the agenda per Mayor Boyles

E. COMMITTEES, COMMISSIONS AND BOARDS PRESENTATIONS:

F. REPORTS – CITY CLERK – Informed the public on the proper way to file to become a Write-In Candidate for the upcoming election in November. Nomination period for a Write-In Candidate is September 9, 2024 – October 22, 2024. Call the City Clerk’s Office if anyone would like to be a write-in candidate or to receive more information on the City Clerk position.

Item #G19 moved forward on the agenda per Mayor Boyles

G. REPORTS – CITY TREASURER –

H. REPORTS – COUNCIL MEMBERS

Council Member Baldino – Congratulated the Boys’ Varsity Water Polo team on winning the Long Beach Varsity Tournament.

Item #H20 moved forward on the agenda due to an abundance of public comments regarding the item.

Council Member Giroux – No report

Council Member Pirsztuk – Congratulated those who worked on the Artwalk on a successful event and wanted to make sure that the City is adhering to the sidewalk cleaning policy that has been established.

Mayor Pro Tem Pimentel – No report

Mayor Boyles – Would like to revisit the 1% for the Arts program at a future Council meeting, attended the PATCHES meeting and mentioned the “Report It” button on the website will soon be replaced with a new and improved button, met with SCAG representative, Eric Rodriguez, and met with LAWA CEO, John Ackerman

I. REPORTS – CITY ATTORNEY – No report

J. REPORTS/FOLLOW-UP – CITY MANAGER – Gave an update on Hyperion Water Reclamation Plant.

MEMORIAL – None

Adjourned at 9:44 PM

Tracy Weaver, City Clerk



City Council Agenda Statement

Meeting Date: September 17, 2024

Agenda Heading: Consent

Item Number: B.5

TITLE:

Warrant Demand Register for August 19, 2024 through September 1, 2024

RECOMMENDATION:

1. Ratify payroll and employee benefit checks; checks released early due to contracts or agreements; emergency disbursements and/or adjustments; and, wire transfers.
2. Approve Warrant Demand Register numbers 4B and 5A: warrant numbers 3052040 through 3052219, and 9003216 through 9003219.
3. Alternatively, discuss and take other action related to this item.

FISCAL IMPACT:

The warrants presented were drawn in payment of demands included within the FY 2024-2025 Adopted Budget. The total of \$2,262,399.08 (\$982,783.53 in check warrants and \$1,279,615.55 in wire warrants) are for demands drawn on the FY 2024-2025 Budget.

BACKGROUND:

California Government Code Section 37208 provides General Law cities flexibility in how budgeted warrants, demands, and payroll are audited and ratified by their legislative body. Pursuant to Section 37208 of the California Government Code, warrants drawn in payments of demands are certified by the City's Chief Financial Officer and City Manager as conforming to the authorized expenditures set forth in the City Council adopted budget need not be audited by the City Council prior to payment, but may be presented to the City Council at the first meeting after delivery.

In government finance, a warrant is a written order to pay that instructs a federal, state, county, or city government treasurer to pay the warrant holder on demand or after a specific date. Such warrants look like checks and clear through the banking system like

Warrant Demand Register

September 17, 2024

Page 2 of 2

checks. Warrants are issued for payroll to individual employees, accounts payable to vendors, to local governments, and to companies or individual taxpayers receiving a refund.

DISCUSSION:

The attached Warrants Listing delineates the warrants that have been paid for the period identified above. The Chief Financial Officer certifies that the listed warrants were drawn in payment of demands conforming to the adopted budget and that these demands are being presented to the City Council at its first meeting after the delivery of the warrants.

CITY STRATEGIC PLAN COMPLIANCE:

Goal 5: Champion Economic Development and Fiscal Sustainability

Strategy A: Identify opportunities for new revenues, enhancement of existing revenues, and exploration of potential funding options to support programs and projects.

PREPARED BY:

Liz Lydic, Management Analyst

REVIEWED BY:

Wei Cao, CPA, CPFO, Finance Manager

APPROVED BY:

Barbara Voss, Deputy City Manager

ATTACHED SUPPORTING DOCUMENTS:

1. Register 4b - summary
2. Register 5a - summary

CITY OF EL SEGUNDO
WARRANTS TOTALS BY FUND

3052040 - 3052130
9003216 - 9003216

DATE OF APPROVAL: AS OF 9/03/24

REGISTER # **4b**

001	GENERAL FUND	283,592.56
003	EXPENDABLE TRUST FUND - OTHER	-
104	TRAFFIC SAFETY FUND	-
106	STATE GAS TAX FUND	-
108	ASSOCIATED RECREATION ACTIVITIES FL	-
109	ASSET FORFEITURE FUND	1,980.38
110	MEASURE "R"	-
111	COMM. DEVEL. BLOCK GRANT	-
112	PROP "A" TRANSPORTATION	-
114	PROP "C" TRANSPORTATION	-
115	AIR QUALITY INVESTMENT PROGRAM	-
116	HOME SOUND INSTALLATION FUND	-
117	HYPERION MITIGATION FUND	-
118	TDA ARTICLE 3 - SB 821 BIKEWAY FUND	-
119	MTA GRANT	-
121	FEMA	-
120	C.O.P.S. FUND	-
122	L.A.W.A. FUND	-
123	PSAF PROPERTY TAX PUBLIC SAFETY	13,176.80
124	FEDERAL GRANTS	-
125	STATE GRANT	-
126	A/P CUPA PROGRAM OVERSIGHT SURCH.	38.01
127	MEASURE "M"	-
128	SB-1	-
129	CERTIFIED ACCESS SPECIALIST PROGRA	-
130	AFFORDABLE HOUSING	-
131	COUNTY STORM WATER PROGRAM	-
132	MEASURE "B"	-
202	ASSESSMENT DISTRICT #73	-
301	CAPITAL IMPROVEMENT FUND	-
302	INFRASTRUCTURE REPLACEMENT FUND	-
311	DEVELOPER IMPACT FEES - GENERAL GC	-
312	DEVELOPER IMPACT FEES - LAW ENFORC	-
313	DEVELOPER IMPACT FEES - FIRE PROTEC	-
314	DEVELOPER IMPACT FEES - STORM DRAI	-
315	DEVELOPER IMPACT FEES - WATER DIST	-
316	DEVELOPER IMPACT FEES - WASTEWATE	-
317	DEVELOPER IMPACT FEES - LIBRARY	-
318	DEVELOPER IMPACT FEES - PUBLIC MEE	-
319	DEVELOPER IMPACT FEES - AQUATICS CI	-
320	DEVELOPER IMPACT FEES - PARKLAND	-
405	FACILITIES MAINTENANCE	-
501	WATER UTILITY FUND	25,777.53
502	WASTEWATER FUND	2,203.61
503	GOLF COURSE FUND	-
504	SENIOR HOUSING CITY ATTORNEY	-
505	SOLID WASTE FUND	-
601	EQUIPMENT REPLACEMENT	-
602	LIABILITY INSURANCE	-
603	WORKERS COMP. RESERVE/INSURANCE	975.00
701	RETIRED EMP. INSURANCE	-
702	EXPENDABLE TRUST FUND - DEVELOPER	44.85
703	EXPENDABLE TRUST FUND - OTHER	-
704	EXPENDABLE TRUST FUND - OTHER	2,212.00
708	OUTSIDE SERVICES TRUST	-
	TOTAL WARRANTS	<u><u>330,000.74</u></u>

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

Information on actual expenditures is available in the Chief Financial Officer's office in the City of El Segundo.

I certify as to the accuracy of the Demands and the availability of fund for payment thereof.

For Approval: Regular checks held for City council authorization to release.

CODES:

NOTES:

R = Computer generated checks for all non-emergency/urgency payments for materials, supplies and services in support of City Operations

For Ratification:

A = Payroll and Employee Benefit checks

B - F = Computer generated Early Release disbursements and/or adjustments approved by the City Manager. Such as: payments for utility services, petty cash and employee travel expense reimbursements, various refunds, contract employee services consistent with current contractual agreements, instances where prompt payment discounts can be obtained or late payment penalties can be avoided or when a situation arises that the City Manager approves.

H = Handwritten Early Release disbursements and/or adjustments approved by the City Manager.

CHIEF FINANCIAL OFFICER:

CITY MANAGER:

DATE:

DATE:

Jm/Vmj 9/3/24

Qued
9-3-24

CITY OF EL SEGUNDO
WARRANTS TOTALS BY DEPARTMENT
AS OF 9/03/24
REGISTER # 4b

DEPT#	NAME	TOTAL
GENERAL FUND DEPARTMENTAL EXPENDITURES		
GENERAL GOVERNMENT		
1101	City Council	492.92
1201	City Treasurer	
1300	City Clerk	1,109.83
2101	City Manager	71.84
2102	Communications	45.57
2103	El Segundo Media	
2201	City Attorney	
2401	Economic Development	
2402	Planning	237.18
2405	Human and Health Services	85.81
2500	Administrative Services	47,749.65
2601	Government Buildings	60,225.53
2900	Nondepartmental	1,071.20
6100	Library	13,910.44
		<hr/> 124,999.97
PUBLIC SAFETY		
3100	Police	32,421.22
3200	Fire	34,383.60
2403	Building Safety	262.48
2404	Plng/Bldg Sfty Administration	421.83
		<hr/> 67,489.13
PUBLIC WORKS		
4101	Engineering	273.14
4200	Streets	4,597.71
4300	Wastewater	2,203.61
4601	Equipment Maintenance	7,654.22
4801	Administration	285.06
		<hr/> 15,013.74
COMMUNITY DEVELOPMENT		
5100,5200	Recreation & Parks	73,484.74
5400	CAMPS	16,184.00
		<hr/> 89,668.74
EXPENDITURES		
CAPITAL IMPROVEMENT		
ALL OTHER ACCOUNTS		
		32,829.16
TOTAL WARRANTS		
		<hr/> <hr/> 330,000.74



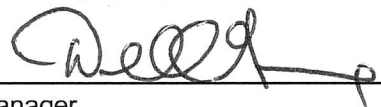
**CITY OF EL SEGUNDO
 PAYMENTS BY WIRE TRANSFER
 08/19/24 THROUGH 08/25/24**

<u>Date</u>	<u>Payee</u>		<u>Description</u>
8/19/2024	IRS	330,802.46	Federal 941 Deposit
8/19/2024	Employment Development	6,062.00	State SDI payment
8/19/2024	Employment Development	78,017.86	State PIT Withholding
8/22/2024	Cal Pers	49,153.60	EFT Retirement Safety Police Classic - 1st Tier 28
8/22/2024	Cal Pers	65,056.67	EFT Retirement Misc - PEPRA New 26013
8/22/2024	Cal Pers	58,093.83	EFT Retirement Safety Fire- Classic 30168
8/22/2024	Cal Pers	40,536.73	EFT Retirement Safety-Police-PEPRA New 25021
8/22/2024	Cal Pers	34,564.59	EFT Retirement Misc - Classic 27
8/22/2024	Cal Pers	22,900.57	EFT Retirement Safety-Fire-PEPRA New 25020
8/22/2024	Cal Pers	18,033.22	EFT Retirement Sfty Police Classic-2nd Tier 30169
08/12/24-08/18/24	Workers Comp Activity	46,061.03	SCRMA checks issued/(voided)
08/12/24-08/18/24	Liability Trust - Claims	15,147.36	Claim checks issued/(voided)
08/12/24-08/18/24	Retiree Health Insurance	-	Health Reimbursement checks issued
		<u>764,429.92</u>	

**DATE OF RATIFICATION: 08/21/24
 TOTAL PAYMENTS BY WIRE:**

764,429.92

Certified as to the accuracy of the wire transfers by:

	<u>8/21/24</u>
Treasury & Customer Services Manager	Date
	<u>9/3/24</u>
Chief Financial Officer	Date
	<u>9-3-24</u>
City Manager	Date

Information on actual expenditures is available in the City Treasurer's Office of the City of El Segundo.

CITY OF EL SEGUNDO
WARRANTS TOTALS BY FUND

DATE OF APPROVAL: AS OF 8/29/24

REGISTER # 5a

3052131 -	3052219		
9003217 -	9003219		
001	GENERAL FUND	402,788.84	
003	EXPENDABLE TRUST FUND - OTHER	-	
104	TRAFFIC SAFETY FUND	-	
106	STATE GAS TAX FUND	-	
108	ASSOCIATED RECREATION ACTIVITIES FUND	-	
109	ASSET FORFEITURE FUND	2,856.00	
110	MEASURE "R"	-	
111	COMM. DEVEL. BLOCK GRANT	-	
112	PROP "A" TRANSPORTATION	-	
114	PROP "C" TRANSPORTATION	-	
115	AIR QUALITY INVESTMENT PROGRAM	-	
116	HOME SOUND INSTALLATION FUND	-	
117	HYPERION MITIGATION FUND	64.26	
118	TDA ARTICLE 3 - SB 821 BIKEWAY FUND	-	
119	MTA GRANT	-	
121	FEMA	-	
120	C.O.P.S. FUND	-	
122	L.A.W.A. FUND	-	
123	PSAF PROPERTY TAX PUBLIC SAFETY	-	
124	FEDERAL GRANTS	-	
125	STATE GRANT	3,622.53	
126	A/P CUJA PROGRAM OVERSIGHT SURCHARGE	282.41	
127	MEASURE "M"	-	
128	SB-1	-	
129	CERTIFIED ACCESS SPECIALIST PROGRAM	-	
130	AFFORDABLE HOUSING	-	
131	COUNTY STORM WATER PROGRAM	-	
132	MEASURE "B"	-	
202	ASSESSMENT DISTRICT #73	-	
301	CAPITAL IMPROVEMENT FUND	171,346.28	
302	INFRASTRUCTURE REPLACEMENT FUND	-	
311	DEVELOPER IMPACT FEES - GENERAL GOVERNMENT	-	
312	DEVELOPER IMPACT FEES - LAW ENFORCEMENT	-	
313	DEVELOPER IMPACT FEES - FIRE PROTECTION	-	
314	DEVELOPER IMPACT FEES - STORM DRAINAGE	-	
315	DEVELOPER IMPACT FEES - WATER DISTRIBUTION	-	
316	DEVELOPER IMPACT FEES - WASTEWATER COLLECTION	-	
317	DEVELOPER IMPACT FEES - LIBRARY	-	
318	DEVELOPER IMPACT FEES - PUBLIC MEETINGS	-	
319	DEVELOPER IMPACT FEES - AQUATICS CENTER	-	
320	DEVELOPER IMPACT FEES - PARKLAND	-	
405	FACILITIES MAINTENANCE	-	
501	WATER UTILITY FUND	37,596.24	
502	WASTEWATER FUND	33,402.40	
503	GOLF COURSE FUND	-	
504	SENIOR HOUSING CITY ATTORNEY	-	
505	SOLID WASTE FUND	-	
601	EQUIPMENT REPLACEMENT	-	
602	LIABILITY INSURANCE	800.00	
603	WORKERS COMP. RESERVE/INSURANCE	-	
701	RETIREMENT INSURANCE	-	
702	EXPENDABLE TRUST FUND - DEVELOPER FEES	23.73	
703	EXPENDABLE TRUST FUND - OTHER	-	
704	EXPENDABLE TRUST FUND - OTHER	-	
708	OUTSIDE SERVICES TRUST	-	
	TOTAL WARRANTS	<u>652,782.79</u>	

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

Information on actual expenditures is available in the Chief Financial Officer's office in the City of El Segundo.

I certify as to the accuracy of the Demands and the availability of fund for payment thereof.

For Approval: Regular checks held for City council authorization to release.

CODES:

NOTES:

R = Computer generated checks for all non-emergency/urgency payments for materials, supplies and services in support of City Operations

For Ratification:

A = Payroll and Employee Benefit checks

B - F = Computer generated Early Release disbursements and/or adjustments approved by the City Manager. Such as: payments for utility services, petty cash and employee travel expense reimbursements, various refunds, contract employee services consistent with current contractual agreements, instances where prompt payment discounts can be obtained or late payment penalties can be avoided or when a situation arises that the City Manager approves.

H = Handwritten Early Release disbursements and/or adjustments approved by the City Manager.

CHIEF FINANCIAL OFFICER:

CITY MANAGER:

DATE:

J. Pribyl 9/3/24

DATE:

[Signature]
9-3-24

CITY OF EL SEGUNDO
WARRANTS TOTALS BY DEPARTMENT
AS OF 8/29/24
REGISTER # 5a

DEPT#	NAME	TOTAL
GENERAL FUND DEPARTMENTAL EXPENDITURES		
GENERAL GOVERNMENT		
1101	City Council	133.78
1201	City Treasurer	76.73
1300	City Clerk	527.89
2101	City Manager	275.64
2102	Communications	101.75
2103	El Segundo Media	
2201	City Attorney	217.00
2401	Economic Development	3,026.39
2402	Planning	
2405	Human and Health Services	
2500	Administrative Services	159,566.80
2601	Government Buildings	
2900	Nondepartmental	51,346.21
6100	Library	13,167.25
		228,439.44
PUBLIC SAFETY		
3100	Police	27,690.52
3200	Fire	53,631.32
2403	Building Safety	
2404	Plng/Bldg Sfty Administration	221.86
		81,543.70
PUBLIC WORKS		
4101	Engineering	8,508.35
4200	Streets	2,029.40
4300	Wastewater	8,251.87
4601	Equipment Maintenance	17,571.12
4801	Administration	64.33
		36,425.07
COMMUNITY DEVELOPMENT		
5100,5200	Recreation & Parks	41,970.63
5400	CAMPS	14,306.18
		56,276.81
EXPENDITURES		
	CAPITAL IMPROVEMENT	171,346.28
	ALL OTHER ACCOUNTS	78,751.49
	TOTAL WARRANTS	652,782.79

**CITY OF EL SEGUNDO
 PAYMENTS BY WIRE TRANSFER
 08/26/24 THROUGH 09/01/24**

<u>Date</u>	<u>Payee</u>		<u>Description</u>
8/26/2024	Cal Pers	46,526.75	FY2024-2025 Unfunded Acc'd Liab-Police 1st Tier 28
8/26/2024	Cal Pers	39,781.42	FY2024-2025 Unfunded Acc'd Liab-Fire Classic 30168
8/26/2024	Cal Pers	30,991.00	FY2024-2025 Unfunded Acc'd Liab-Misc Classic 27
8/30/2024	Mission Square	4,154.63	457 payment Vantagepoint
8/30/2024	Mission Square	1,080.00	401(a) payment Vantagepoint
8/30/2024	ExpertPay	5,134.52	EFT Child support payment
8/30/2024	IRS	297,896.39	Federal 941 Deposit
8/30/2024	Employment Development	5,496.37	State SDI payment
8/30/2024	Employment Development	70,893.41	State PIT Withholding
08/19/24-08/25/24	Workers Comp Activity	13,231.14	SCRMA checks issued/(voided)
08/19/24-08/25/24	Liability Trust - Claims	-	Claim checks issued/(voided)
08/19/24-08/25/24	Retiree Health Insurance	-	Health Reimbursement checks issued
		<u>515,185.63</u>	

DATE OF RATIFICATION: 09/03/24

TOTAL PAYMENTS BY WIRE:

515,185.63

Certified as to the accuracy of the wire transfers by:

	9/3/24
Treasury & Customer Services Manager	Date
	9/3/24
Chief Financial Officer	Date
	9-3-24
City Manager	Date

Information on actual expenditures is available in the City Treasurer's Office of the City of El Segundo.



City Council Agenda Statement

Meeting Date: September 17, 2024

Agenda Heading: Consent

Item Number: B.6

TITLE:

Notice of Completion and Agreement Amendments for El Segundo Boulevard Improvement Project

RECOMMENDATION:

1. Accept El Segundo Boulevard Improvement Project No. PW 23-02 by Sully-Miller Contracting Company as complete.
2. Authorize the City Clerk to file and record a Notice of Completion with the Los Angeles County Recorder's Office.
3. Authorize an increase in the construction contingencies by \$150,000 from \$700,000 to \$850,000 for Sully-Miller Contracting Company from Proposition C funds, and authorize the City Manager to execute an amendment to Agreement No. 6547 with Sully-Miller Contracting Company to increase the agreement amount by \$150,000 for a total not-to-exceed amount of \$7,436,035.30.
4. Authorize an increase in the construction management contingencies by \$146,688.63 from \$30,000 to \$176,688.63, and authorize the City Manager to execute an amendment to Agreement No. 6600 with Z&K Consultants to increase the agreement amount by \$146,688.63 for a total not-to-exceed amount of \$436,248.63, payable from Proposition C funds.
5. Alternatively, discuss and take other action related to this item.

FISCAL IMPACT:

The total adopted FY 2023-24 CIP Budget for this project was \$8,187,537 (including funds for construction administration, inspection, and testing), with the following breakdown:

- \$4,050,000 (127-400-8203-8995) – Measure M – El Segundo Blvd CIP Project
- \$3,351,000 (114-400-8203-8995) – Prop C – El Segundo Blvd CIP Project

Notice of Completion for the El Segundo Boulevard Improvement Project

September 17, 2024

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- \$786,537 (124-400-8203-8995) – Federal Grant Funds – Federal Earmark Exchange

The final project construction cost with Sully-Miller Contracting Company is \$7,436,035.30. The final project construction management/inspection cost with Z&K Consultants is \$436,248.63. The final construction administration/engineering cost with MNS Engineers is \$89,970.00. The total project cost is \$7,962,253.93.

The remaining balance of \$225,283 (the difference between the original budget of \$8,187,537.00 and the actual cost of \$7,962,254) is returned to Prop C for use on future projects.

BACKGROUND:

On September 20, 2022, City Council adopted a resolution allowing the City to avail itself of the immunities set forth in Government Code § 830.6, approve the plans and specifications for the El Segundo Boulevard improvement project No. PW 23-02 ("Project"), and authorize staff to advertise for construction bids.

On January 17, 2023, City Council awarded a standard Public Works Contract to Sully-Miller Contracting Company in the amount of \$6,586,035.30 and approved a construction contingency amount of \$700,000 for the construction of the Project for a total authorization of \$7,286,035.30.

On February 21, 2023, City Council awarded a professional services agreement to Z&K Consultants for the amount of \$259,560, with an additional \$30,000 for related contingencies.

El Segundo Boulevard is a major arterial east/west six-lane divided arterial from Isis Avenue to Pacific Coast Highway, and a four-lane divided arterial from Pacific Coast Highway to Illinois Street. The roadway has a varying width from 52-foot curb to curb on the westerly end of the project to 106-feet at the easterly end of the project limits. Prior to the project, the pavement showed widespread signs of deterioration throughout the corridor with an average Pavement Condition Index (PCI) below 40, which constitutes a need for rehabilitation.

The Project was part of the three-year CIP program approved by the City Council in June 2019, and it consisted of:

- Rehabilitating pavement along El Segundo Boulevard between Illinois Street and Isis Avenue; and rehabilitation along Nash Street, between El Segundo Boulevard and Imperial Highway. Several options for pavement rehabilitation were considered, but ultimately a cement stabilized base was utilized in specific areas with an asphalt overlay throughout the corridor.
- Rehabilitating pavement along Douglas Street between Rosecrans Avenue and

Notice of Completion for the El Segundo Boulevard Improvement Project

September 17, 2024

Page 3 of 5

Imperial Highway.

- Installation of curb ramps on El Segundo Boulevard at Illinois Street, Continental Boulevard, Nash Street, Douglas Street, and Aviation Boulevard intersections.
- Installation of curb ramps on Nash Street at Grand Avenue, Mariposa Avenue, Maple Avenue, Atwood Way, and Imperial Highway intersections.
- Installation of bike lanes is as follows:
 - Approximately 1,020 lineal feet of “cycle track” from PCH to Continental on El Segundo Boulevard,
 - Approximately 27,450 lineal feet of Class II Bike Lanes along El Segundo Boulevard from Aviation Boulevard to PCH, along Douglas Street between Rosecrans Avenue and Imperial Highway, along Nash Street between El Segundo Boulevard and Imperial Highway, and
 - Shared Class III Bike Route markings (“Sharrows”) in the nearby area where applicable. Green paint was installed in conflict zones between vehicles and bicyclists to enhance the visibility of bicyclists and decrease vehicle encroachment into the bicycle zone.
- Removal of median-mounted traffic signal poles at Douglas Street and El Segundo intersection, and install larger traffic signal poles to accommodate longer mast arms.
- Installation of pedestrian push buttons, pedestrian countdown signal heads, bicycle detection loops, and video detections at various intersections along El Segundo Boulevard.
- Removal of median landscaping, including the large Ficus trees that have caused deterioration to the roadway structure and replace the existing landscaping with landscaping which is consistent with the El Segundo South Campus Specific Plan. New irrigation was also installed in the landscaped median.

This Project rehabilitated the pavement while also making significant safety improvements for drivers, cyclists and pedestrians.

DISCUSSION:

Construction on the project began on October 16, 2023 and was completed by Sully-Miller Contracting Company on June 15, 2024. The inspection work was performed by Z&K Consultants, Inc. and it was determined that the Project was completed in accordance with the plans and specifications and to the satisfaction of City staff.

As expected with a project of this scale, additional work, unforeseen conditions, and delays occurred during the construction of this project, which added to the expenses of the project. Some examples of the additional work include the following:

- Adding more sidewalks to the scope where tree roots had uplifted the existing sidewalks
- Filling potholes along the roadway prior to and during rain events

Notice of Completion for the El Segundo Boulevard Improvement Project

September 17, 2024

Page 4 of 5

- Adding more striping in areas that were not previously in scope
- Replacing the concrete pavement at the intersection of El Segundo Blvd and Nash Street
- Adding traffic signal conduit for future use
- Using concrete asphalt in lieu of cement stabilized base in some areas to improve public convenience as well as expediting the project
- Additional needed pavement rehabilitation
- Keeping the barricades along the roadways which were under construction during longer rainfall events than expected and wet days

This additional construction work added expenses to the Project in the amount of \$850,000 for a total construction cost of \$7,436,035.30. Additionally, Z&K Consultants provided full-service inspection and construction management on the Project, which exceeded the original contract amount by \$146,688.63. The total fee for Z&K Consultants for the project is \$436,248.63. There are sufficient funds in the budget from the Prop C account to cover the additional expenses.

Staff recommends that City Council accepts the work performed by Sully-Miller Contracting Company for the Project, authorize the City Manager to execute the proposed associated agreement amendments, and authorizes the City Clerk to file a Notice of Completion with the County Recorder's Office.

CITY STRATEGIC PLAN COMPLIANCE:

Goal 1: Develop and Maintain Quality Infrastructure and Technology

Strategy A: Seek opportunities to implement and expedite the projects in the Capital Improvement Program and ensure that City-owned infrastructure is well maintained, including streets, entryways, and facilities.

Strategy B: Seek opportunities to implement the use of innovative technology to improve services, efficiency, and transparency.

PREPARED BY:

Cheryl Ebert, Senior Civil Engineer

REVIEWED BY:

Elias Sassoon, Public Works Director

APPROVED BY:

Barbara Voss, Deputy City Manager

ATTACHED SUPPORTING DOCUMENTS:

1. El Segundo Blvd. Improvement Project Photos
2. PW 23-02 Notice of Completion

PW 23-02 – El Segundo Boulevard Improvement Project - Pictures

BEFORE: Pavement fatigue cracking and potholes on El Segundo Blvd



BEFORE: Pavement fatigue cracking and potholes on El Segundo Blvd



Pavement asphalt overlay on El Segundo Blvd



AFTER:



PW 23-02 – El Segundo Boulevard Improvement Project - Pictures

BEFORE: Northwest corner of El Segundo Blvd and Continental Blvd



Drainage repairs, ADA improvements, pedestrian push button upgrades.



Drainage repairs, ADA improvements, pedestrian push button upgrades.



AFTER:



PW 23-02 – El Segundo Boulevard Improvement Project - Pictures

BEFORE: El Segundo Blvd between Doulgas St and Aviation Blvd



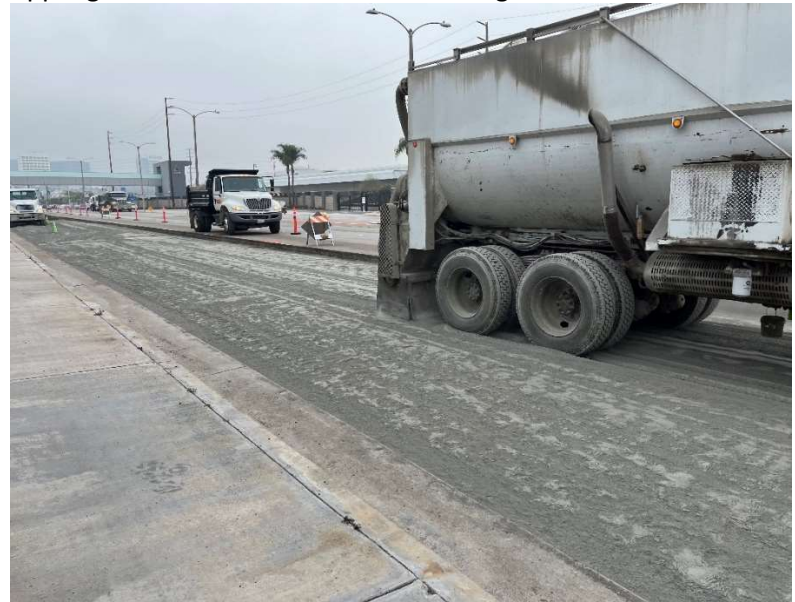
BEFORE: El Segundo Blvd between Doulgas St and Aviation Blvd



Removing existing asphalt and preparing subbase.



Applying cement stabilized base to existing subbase.



PW 23-02 – El Segundo Boulevard Improvement Project - Pictures

Asphalt pavement



AFTER:



PW 23-02 – El Segundo Boulevard Improvement Project - Pictures

BEFORE: At El Segundo Blvd and Continental Blvd



Breaking out concrete under the supervision of So Cal Gas



Setting new concrete foundations for traffic signal poles.



Traffic signal poles need to be adjusted to behind the new curb.



PW 23-02 – El Segundo Boulevard Improvement Project - Pictures

Potholing For existing utilities at El Segundo Blvd and Continental Blvd



Setting the rebar cage for the traffic signal pole footing.



Removal of existing concrete foundation for the traffic signal pole.



Relocation of traffic signal pole at El Segundo Blvd and Continental Blvd.



PW 23-02 – El Segundo Boulevard Improvement Project - Pictures

Before: Ficus trees uprooting pavement



After: New Gold Lantana, New Zealand Flax, Brisbane Box, Crape Myrtle (not shown)



PW 23-02 – El Segundo Boulevard Improvement Project - Pictures

BEFORE: Shrubs in the center median of El Segundo Blvd.



AFTER: Red stamped concrete median in El Segundo Blvd.



PW 23-02 – El Segundo Boulevard Improvement Project - Pictures

Bike lane transition from Class II to Cycle Track on El Segundo Blvd.



Bike lane transition from Class II to Cycle Track on El Segundo Blvd.



Class II Bike Lane



Bike lane/cycle track and pedestrian pathway



**Recording Requested by
and When Recorded Mail To:**

**City Clerk, City Hall
350 Main Street
El Segundo, CA 90245**

NOTICE OF COMPLETION OF CONSTRUCTION PROJECT

Project Name: El Segundo Boulevard Improvement Project

Project No.: PW 23-02

Contract No. 6574

Notice is hereby given pursuant to State of California Civil Code Section 3093 et seq that:

1. The undersigned is an officer of the owner of the interest stated below in the property hereinafter described.
2. The full name of the owner is: City of El Segundo
3. The full address of the owner is: City Hall, 350 Main Street, El Segundo, CA, 90245
4. The nature of the interest of the owner is: Public Facilities
5. A work of improvement on the property hereinafter described was field reviewed by the City Engineer on June 15, 2024. The work done was pavement rehabilitation, ADA improvements, Class II, Class III, and Cycle Track installation, and traffic signal upgrades
6. On September 3, 2024, City Council of the City of El Segundo accepted the work of this contract as being complete and directed the recording of this Notice of Completion in the Office of the County Recorder.
7. The name of the Contractor for such work of improvement was: Sully-Miller Contracting Company
8. The property on which said work of improvement was completed is in the City of El Segundo, County of Los Angeles, State of California, and is described as follows:
 - El Segundo Boulevard from Illinois Street to Isis Avene
 - Nash Street from El Segundo Boulevard to Imperial Highway
 - Douglas Street from Rosecrans Avenue to Imperial Highway
9. The street address of said property is: None

City of El Segundo

Dated: _____

Elias Sassoon
Public Works Director

VERIFICATION

I, the undersigned, say: I am the Director of Public Works/City Engineer of the City El Segundo, the declarant of the foregoing Notice of Completion; I have read said Notice of Completion and know the contents thereof; the same is true of my own knowledge.

I declare under penalty of perjury the foregoing is true and correct.

Executed on _____, 2024 at El Segundo, California, 90245.

City of El Segundo

Elias Sassoon
Public Works Director



City Council Agenda Statement

Meeting Date: September 17, 2024

Agenda Heading: Consent

Item Number: B.7

TITLE:

Notice of Completion for Center Street Storm Drain Improvements Project

RECOMMENDATION:

1. Accept Center Street Storm Drain Improvements Project No. PW 24-04 by Palp, Inc. DBA Excel Paving Company as complete.
2. Authorize the City Clerk to file a Notice of Completion with the Los Angeles County Recorder's Office.
3. Alternatively, discuss and take other action related to this item.

FISCAL IMPACT:

Included in the adopted FY 2024-25 budget.
The final project construction cost is \$173,742.12.

Amount Budgeted: \$190,255

Additional Appropriation: No.

Account Number: 301-400-8205-8221 (Center Street Storm Drain Improvements)

BACKGROUND:

On April 16, 2024, City Council awarded a construction contract to Palp, Inc. DBA Excel Paving Company ("Palp, Inc.") in the amount of \$172,959 and approved a construction contingency amount of \$17,296. The scope of the Center Street Storm Drain Improvements Project No. PW 24-04 ("Project") was to increase the storm drain system conveyance capacity of storm water runoff near the Center Street/E. Oak Avenue intersection, which was accomplished by removing and replacing an existing storm drain catch basin and installing two new storm drain catch basins.

Center Street Storm Drain Improvement

September 17, 2024

Page 2 of 2

DISCUSSION:

Palp, Inc. began construction on July 8, 2024, and completed the Project several weeks early on August 13, 2024. The Project was completed within budget, and the unspent amount will be returned to the source fund for future projects.

The staff respectfully recommends that the City Council accept Palp Inc.'s work on Project as complete and authorize the City Clerk to file a Notice of Completion with the Los Angeles County Recorder's office.

CITY STRATEGIC PLAN COMPLIANCE:

Goal 1: Develop and Maintain Quality Infrastructure and Technology

Strategy A: Seek opportunities to implement and expedite the projects in the Capital Improvement Program and ensure that City-owned infrastructure is well maintained, including streets, entryways, and facilities.

PREPARED BY:

Floriza Rivera, Principal Civil Engineer

REVIEWED BY:

Elias Sassoon, Public Works Director

APPROVED BY:

Barbara Voss, Deputy City Manager

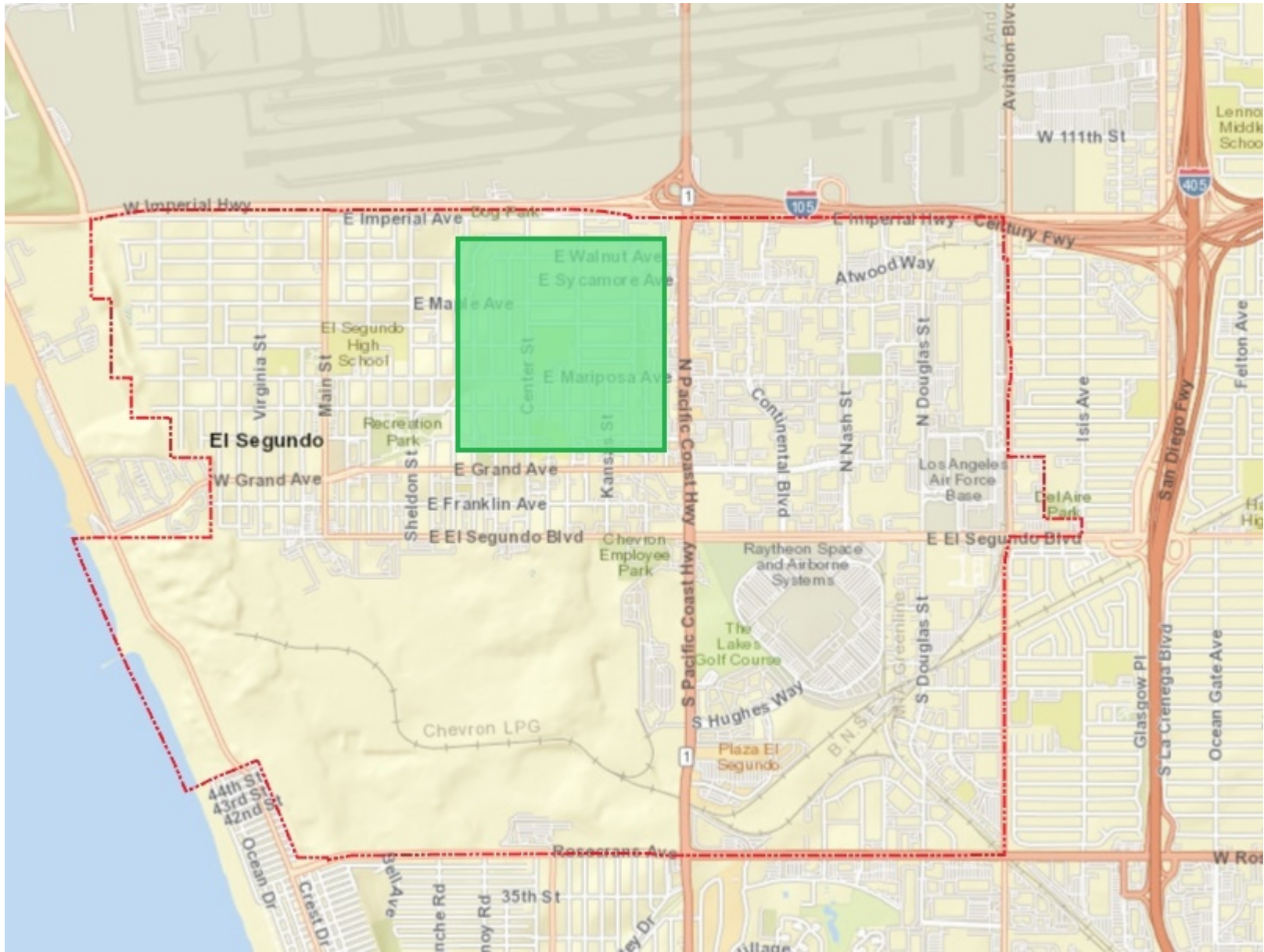
ATTACHED SUPPORTING DOCUMENTS:

1. Vicinity Map PW 24-04
2. Location Map PW 24-04
3. Notice of Completion PW 24-04
4. Before and After Pictures PW 24-04



Vicinity Map

PW 24-04: Center Street Storm Drain Improvements Project



6,018.7 | 0 | 3,009.33 | 6,018.7 Feet

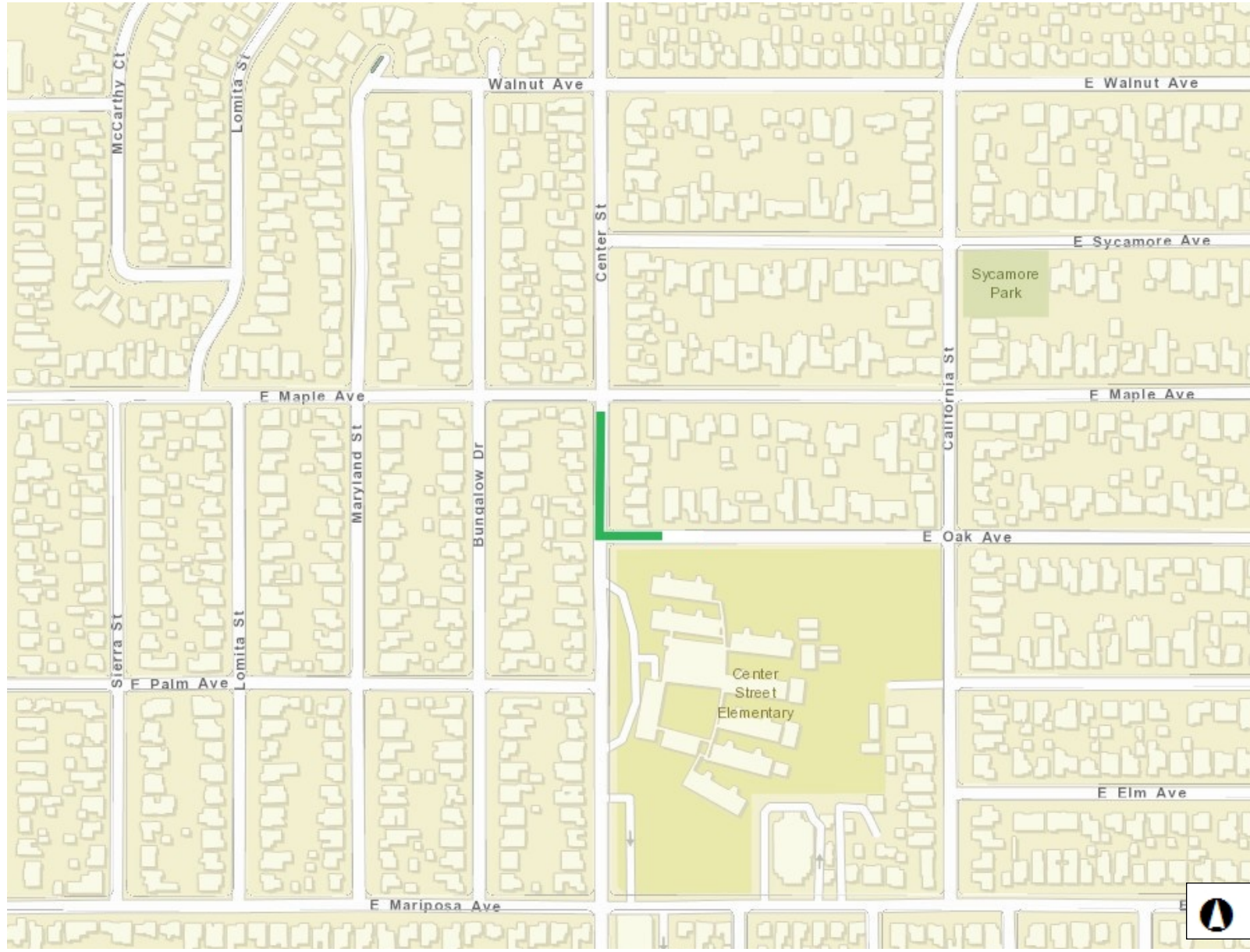
WGS_1984_Web_Mercator_Auxiliary_Sphere

DISCLAIMER: The information shown on this map was compiled from different GIS sources. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. The City of El Segundo will not be held responsible for any claims, losses or damages resulting from the use of this map.



Location Map

PW 24-04: Center Street Storm Drain Improvements Project



Legend

- City Boundary
- █ Storm Drain Project Area

Notes

No Scale



WGS_1984_Web_Mercator_Auxiliary_Sphere

DISCLAIMER: The information shown on this map was compiled from different GIS sources. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. The City of El Segundo will not be held responsible for any claims, losses or damages resulting from the use of this map.

**Recording Requested by
and When Recorded Mail To:**

**City Clerk, City Hall
350 Main Street
El Segundo, CA 90245**

NOTICE OF COMPLETION OF CONSTRUCTION PROJECT

Project Name: Center Street Storm Drain Improvements Project

Project No. PW 24-04 Contract No. 6905

Notice is hereby given pursuant to State of California Civil Code Section 3093 et seq that:

1. The undersigned is an officer of the owner of the interest stated below in the property hereinafter described.
2. The full name of the owner is: City of El Segundo
3. The full address of the owner is: City Hall, 350 Main Street, El Segundo, CA, 90245
4. The nature of the interest of the owner is: Public Facilities
5. A work of improvement on the property hereinafter described was field reviewed by the City Engineer on August 14, 2024. The work done was: Center Street Storm Drain Improvements Project
6. On October 1, 2024, City Council of the City of El Segundo accepted the work of this contract as being complete and directed the recording of this Notice of Completion in the Office of the County Recorder.
7. The name of the Contractor for such work of improvement was: Palp, Inc. DBA Excel Paving Company
8. The property on which said work of improvement was completed is in the City of El Segundo, County of Los Angeles, State of California, and is described as follows:
 - The 700 block of Center Street.
9. The street address of said property is: 735, 736, and 747 Center St. in El Segundo, CA 90245

City of El Segundo

Dated: _____, 2024

Elias Sassoon
Public Works Director

VERIFICATION

I, the undersigned, say: I am the Director of Public Works of the City El Segundo, the declarant of the foregoing Notice of Completion; I have read said Notice of Completion and know the contents thereof; the same is true of my own knowledge.

I declare under penalty of perjury the foregoing is true and correct.

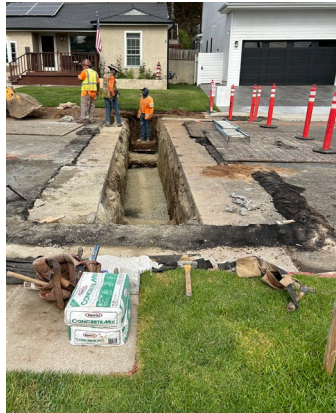
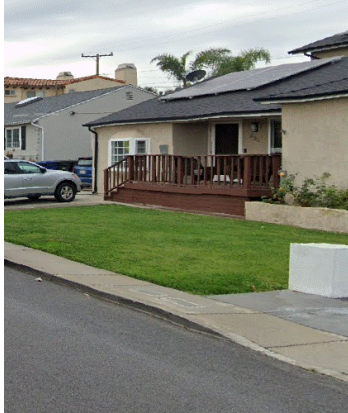
Executed on _____, 2024 at El Segundo, California.

City of El Segundo

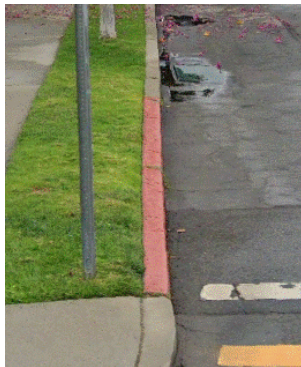
Elias Sassoon
Public Works Director

**CENTER STREET STORM DRAIN IMPROVEMENTS PROJECT
PROJECT NO. PW 24-04
BEFORE AND AFTER PICTURES**

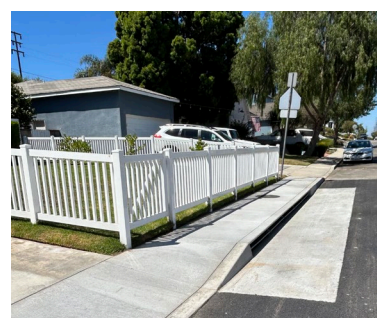
1. Before, During, and After: 735 Center Street catch basin location



2. Before and After: 736 Center Street (E. Oak Avenue side) catch basin location



3. Before and After: 747 Center Street catch basin location





City Council Agenda Statement

Meeting Date: September 17, 2024

Agenda Heading: Consent

Item Number: B.8

TITLE:

Self-Contained Breathing Apparatus Donation to El Camino College

RECOMMENDATION:

1. Declare 26 self-contained breathing apparatus harnesses and 40 apparatus bottles past their service life and surplus property.
2. Authorize the donation of the self-contained breathing apparatus harnesses and apparatus bottles to El Camino College.
3. Authorize the City Manager, or designee, in a form approved by the City Attorney, to draft an agreement releasing title and all liability to accompany the El Camino College donation.
4. Alternatively, discuss and take other action related to this item.

FISCAL IMPACT:

The original purchase price of the Scott brand self-contained breathing apparatus harnesses and bottles was \$182,046 in September 1995. There is no fiscal impact related to this donation.

BACKGROUND:

The City Council authorized the purchase of 26 self-contained breathing apparatus (SCBA) harnesses and 40 SCBA bottles in September 1995. These SCBA harnesses and bottles surpassed their 15-year service life and were replaced in July 2024, following City Council's approval to replace the outdated equipment. The El Segundo Fire Department ("Fire Department") seeks approval to donate the outdated SCBA equipment to El Camino Community College to train fire academy students to become firefighters.

Self-Contained Breathing Apparatus Donation

September 17, 2024

Page 2 of 2

DISCUSSION:

The Fire Department desires to donate 26 SCBA harnesses and 40 SCBA bottles that are past their service life to the El Camino College Fire Academy. The Fire Department has a long-standing partnership with El Camino College, as their academy has produced several graduates who moved on to serve the City and local community. In addition, the El Camino College Fire Academy offers its facility for Fire Department use, allowing firefighters the ability to apply skills in a realistic environment and gain experience under actual fire conditions. Staff believes it would be in the public's interest to assist the training of regional firefighters through the proposed donation.

This donation would support a local fire academy, which has and continues to serve the City of El Segundo. The Fire Department respectfully requests authorization to donate this equipment to El Camino College. If City Council does not approve the donation of the equipment, staff requests City Council to declare the equipment to be surplus property for destruction.

CITY STRATEGIC PLAN COMPLIANCE:

Goal 2: Optimize Community Safety and Preparedness

Strategy B: Provide cost-effective and excellent fire protection and emergency response services.

Strategy C: Protect and prepare the El Segundo Community and staff for any emergency, disaster, or environmental violation.

PREPARED BY:

Vanessa Arias, Senior Management Analyst

REVIEWED BY:

George Avery, Fire Chief

APPROVED BY:

Barbara Voss, Deputy City Manager

ATTACHED SUPPORTING DOCUMENTS:

None



City Council Agenda Statement

Meeting Date: September 17, 2024

Agenda Heading: Consent

Item Number: B.9

TITLE:

Agreement Amendments for Garon Wyatt Investigative Services and Nicole Miller & Associates for Confidential Personnel Investigations

RECOMMENDATION:

1. Authorize the City Manager to approve a third amendment to Agreement No. 6041 with Garon Wyatt Investigative Services for an additional \$50,000 for confidential personnel investigative services, increasing the total payable compensation to \$100,000.
2. Authorize the City Manager to approve an amendment to Agreement No. 6860 with Nicole Miller & Associates for an additional \$25,000 for confidential personnel investigative services, increasing the total payable compensation to \$75,000.
3. Alternatively, discuss and take other action related to this item.

FISCAL IMPACT:

Garon Wyatt Investigative Services

Funding is included in the Adopted FY 2024-25 Budget.

Account Number: 001-400-2506-6124 (Professional & Technical Services)

Nicole Miller & Associates

Funding is included in the Adopted FY 2024-25 Budget.

Account Number: 001-400-2506-6124 (Professional & Technical Services)

BACKGROUND:

The City entered into a professional services agreement with Garon Wyatt Investigative Services in March 2021 for administrative investigative services under Agreement No. 6041. A first amendment, entered into in June 2023 increased the total payable compensation from \$15,000 to \$50,000 and a second amendment in August 2024

Amendments to PSAs for Confidential Personnel Investigations

September 17, 2024

Page 2 of 3

extended the date of the contract through June 30, 2026 with no increase to the compensation amount.

The City entered into a professional services agreement with Nicole Miller & Associates in February 2024 for administrative investigative services under Agreement No. 6860 for total payable compensation of \$50,000 from February 1, 2024 through June 30, 2025.

DISCUSSION:

The Human Resources Department utilizes consultants from outside firms to conduct confidential personnel investigations. Professional services fees for investigations depend on the complexity of the investigation, number of interviews needed, document reviews, transcription services, and the hourly rate of the investigator. At this time, staff anticipates the need for additional contract authority to complete pending investigations and recommends awarding an amendment to the professional services agreements with Garon Wyatt Investigative Services and Nicole Miller & Associates to provide confidential personnel investigative services.

Specifically, the Human Resources Department requests that the City Council authorize the City Manager to execute a third amendment to Agreement No. 6041 with Garon Wyatt Investigative Services for an additional \$50,000 for confidential personnel investigative services, increasing the total payable compensation to \$100,000, and authorize the City Manager to approve an amendment to Agreement No. 6860 with Nicole Miller & Associates for an additional \$25,000 for confidential personnel investigative services, increasing the total payable compensation to \$75,000.

CITY STRATEGIC PLAN COMPLIANCE:

Goal 4: Promote and Celebrate a Quality Workforce Through Teamwork and Organizational Excellence

Strategy B: Improve organizational excellence by implementing processes and tools that facilitate data collection and analysis while promoting data-driven decision-making.

PREPARED BY:

Rebecca Redyk, Human Resources Director

REVIEWED BY:

Rebecca Redyk, Human Resources Director

APPROVED BY:

Barbara Voss, Deputy City Manager

ATTACHED SUPPORTING DOCUMENTS:

Amendments to PSAs for Confidential Personnel Investigations

September 17, 2024

Page 3 of 3

1. Third Amendment Garon Wyatt Investigative Services
2. First Amendment Nicole Miller & Associates

**THIRD AMENDMENT TO
AGREEMENT NO. 6041 BETWEEN
THE CITY OF EL SEGUNDO AND
GARON WYATT dba GARON WYATT INVESTIGATIVE SERVICES**

THIS THIRD AMENDMENT (“Amendment”) is made and entered into this 17th day of September 2024, by and between the CITY OF EL SEGUNDO, a general law city and municipal corporation existing under the laws of California (“CITY”), and GARON WYATT DBA GARON WYATT INVESTIGATIVE SERVICES, a California limited liability company (“CONSULTANT”). The parties agree as follows:

1. Pursuant to Section 34 of the Agreement, Section 1(C) is amended to increase the compensation payable by CITY to CONSULTANT by an additional \$50,000 for a total contract sum not to exceed \$100,000 for CONSULTANT’s additional services described in Section 3 below.
2. This Amendment may be executed in any number or counterparts, each of which will be an original, but all of which together constitutes one instrument executed on the same date. In accordance with Government Code § 16.5, the parties agree that this Amendment will be considered signed when the signature of a party is delivered by electronic transmission. Such electronic signature will be treated in all respects as having the same effect as an original signature.
3. Except as modified by this Amendment, all other terms and conditions of the Agreement remain the same.

[SIGNATURES ON NEXT PAGE]

IN WITNESS WHEREOF the parties hereto have executed this contract the day and year first hereinabove written.

CITY OF EL SEGUNDO

GARON WYATT dba GARON WYATT
INVESTIGATIVE SERVICES

Drew Boyles,
Mayor

Garon (Gary) Wyatt,
Owner

ATTEST:

Tracy Weaver,
City Clerk

Taxpayer ID No. _____

APPROVED AS TO FORM:

Joaquin Vazquez,
Assistant City Attorney

**FIRST AMENDMENT TO
AGREEMENT NO. 6860 BETWEEN
THE CITY OF EL SEGUNDO AND
NICOLE MILLER & ASSOCIATES, INC.**

THIS FIRST AMENDMENT (“Amendment”) is made and entered into this 17th day of September 2024, by and between the CITY OF EL SEGUNDO, a general law city and municipal corporation existing under the laws of California (“CITY”), and NICOLE MILLER & ASSOCIATES, INC., a Stock Corporation formed in California Nicole Miller & Associates, Inc. (“CONSULTANT”). The parties agree as follows:

1. Pursuant to Section 34 of the Agreement, Section 1(C) is amended to increase the compensation payable by CITY to CONSULTANT by an additional \$25,000 for a total contract sum not to exceed \$75,000 for CONSULTANT’s additional services described in Section 3 below.
2. This Amendment may be executed in any number or counterparts, each of which will be an original, but all of which together constitutes one instrument executed on the same date. In accordance with Government Code § 16.5, the parties agree that this Amendment will be considered signed when the signature of a party is delivered by electronic transmission. Such electronic signature will be treated in all respects as having the same effect as an original signature.
3. Except as modified by this Amendment, all other terms and conditions of the Agreement remain the same.

[SIGNATURES ON NEXT PAGE]

IN WITNESS WHEREOF the parties hereto have executed this contract the day and year first hereinabove written.

CITY OF EL SEGUNDO

NICOLE MILLER & ASSOCIATES,
INC.

Drew Boyles,
Mayor

Nicole Miller,
President & CEO, Secretary

ATTEST:

Tracy Weaver,
City Clerk

Taxpayer ID No. _____

APPROVED AS TO FORM:

Joaquin Vazquez,
Assistant City Attorney



City Council Agenda Statement

Meeting Date: September 17, 2024

Agenda Heading: Consent

Item Number: B.10

TITLE:

Agreement with El Segundo Unified School District to Allow the Use of the City Council Chamber and Executive Conference Room for Board of Education Meetings

RECOMMENDATION:

1. Authorize the City Manager to execute a license agreement with the El Segundo Unified School District to allow the use of the City Council Chamber and Executive Conference Room for School Board Meetings on the second and fourth Tuesday of each month, through August 2025.
2. Alternatively, discuss and take other action related to this item.

FISCAL IMPACT:

The City will be reimbursed the actual cost of hourly City staff time required to record and live broadcast the ESUSD School Board Meetings. The estimated cost is \$484.85 per meeting, assuming a two-hour meeting. The actual cost will vary, depending on the length of each meeting. The City will invoice the El Segundo Unified School District monthly to recoup the actual production cost.

BACKGROUND:

The El Segundo Unified School District (ESUSD) offices are currently being remodeled, which affects ADA-compliant access to the Board of Education meeting room. To ensure all members of the community are able to access the meetings, ESUSD is requesting the use of the City Council Chamber and Executive Conference Room to conduct their Board of Education meetings.

DISCUSSION:

The ESUSD Board of Education meets on the second and fourth Tuesdays of each month and has requested temporary use of the City Council Chamber and Executive Conference to conduct their meetings through August 2025. The proposed meeting

Agreement with ESUSD to Allow the Use of City Facilities for School Board Meetings

September 17, 2024

Page 2 of 2

dates are listed in Exhibit A of the attached draft license agreement. A license agreement is a legal instrument that gives the permission to an individual or entity to use real property for a specific purpose.

Under the terms of the proposed license agreement, the City reserves the right to cancel the Board of Education's use of the Council Chamber at any time should the City need the facility for City business. However, the City will make a reasonable, good-faith effort to provide five days' written notification to ESUSD prior to cancelation.

The City will be reimbursed for staff time related to production of the meetings (live broadcast and recording). It is estimated that two Senior Video Technicians will be required for each Board of Education meeting, including set up, production, and post-production. The estimated cost is outlined in Exhibit B of the attached agreement.

CITY STRATEGIC PLAN COMPLIANCE:

Goal 3: Deliver Solution-Oriented Customer Service, Communication, Diversity, Equity, and Inclusion

PREPARED BY:

Barbara Voss, Deputy City Manager

REVIEWED BY:

Barbara Voss, Deputy City Manager

APPROVED BY:

Barbara Voss, Deputy City Manager

ATTACHED SUPPORTING DOCUMENTS:

1. Draft License Agreement - ESUSD Use of Council Chambers

**LICENSE AGREEMENT BETWEEN THE
CITY OF EL SEGUNDO AND
EL SEGUNDO UNIFIED SCHOOL DISTRICT
(CITY COUNCIL CHAMBERS)**

THIS LICENSE AGREEMENT (“License”) is made and entered into as of this [REDACTED] day of [REDACTED], 2024, between the CITY OF EL SEGUNDO, a California municipal corporation (“CITY”), and EL SEGUNDO UNIFIED SCHOOL DISTRICT, a public school district organized pursuant to the California Education Code (“DISTRICT”). CITY and DISTRICT may collectively be referred to as the “Parties,” or each, a “Party.”

1. LICENSE; DESCRIPTION OF PROPERTY. CITY owns the real property located at 350 Main Street, El Segundo, California, which is known as El Segundo City Hall (“City Hall”). CITY seeks to allow DISTRICT to use, on the terms and conditions in this License, a portion of real property located on such CITY property, comprised of CITY’s council chambers, executive conference room and associated portions of City Hall for ingress and egress, and public facilities (i.e., restrooms and water fountain) that serve the chambers (“Property”). This License does not include other portions of City Hall. CITY’s authorization set forth in this License is not, and should not be construed to be, a conveyance of a property interest or a lease; it is a license to use property only. The Parties agree that the proposed use constitutes a valid purpose benefitting the public.

2. USE OF PROPERTY.

- A. DISTRICT may temporarily use the Property for the purpose of conducting its Board of Education meetings on the dates and times set forth in Exhibit “A” to this License which is attached hereto and incorporated by reference.
- B. DISTRICT understand and agrees that only CITY may operate or otherwise use the AV Equipment, and DISTRICT's use of the AV Equipment is strictly prohibited. The foregoing notwithstanding, DISTRICT may utilize AV Equipment within the City Council Chambers (e.g., computer remote for slide deck presentations and laptop therein) that is pertinent to ordinary public meeting operations.
- C. Any DISTRICT use of the Property outside of the dates set forth in Exhibit “A” must be approved in writing by the City Manager in advance.
- D. The foregoing notwithstanding, CITY may unilaterally cancel any scheduled DISTRICT use of the Property for any required CITY use of the Property, as solely determined by CITY. CITY will make a reasonable, good faith effort to provide five days’ written notice to DISTRICT of such cancelation.

3. **TERM.** Except as provided in Section 5, the term of this license will begin retroactively on August 27, 2024 and end on August 31, 2025. Upon mutual written agreement between the parties, this License may be renewed for additional time.

4. **FEES.** In consideration for its use of the Property, DISTRICT agrees to pay CITY fees pursuant to the fee schedule set forth in Exhibit "B" to this License, which is attached hereto and incorporated by reference. Such fees will apply on a per meeting basis, and DISTRICT must pay CITY within 30 days of receipt of invoice. Additional costs, such as security or other services may be charged by CITY, and DISTRICT must remit payment to CITY within 30 days of receipt of invoice for such additional costs.

5. TERMINATION.

- A. As stated above, CITY may terminate this License at any time with or without cause, upon written or verbal notification. Termination will be effective upon notification, unless CITY specifies otherwise.
- B. DISTRICT may terminate this License at any time in writing at least five days before the effective termination date.
- C. By executing this document, DISTRICT waives any and all claims for damages that might otherwise arise from CITY's termination under this Section.
- D. Upon termination, DISTRICT will remove all personal property and improvements from Property within two days. Property will be left in a clean and orderly fashion.

6. **CONDITION OF PREMISES.** DISTRICT accepts the Property in its current condition "as is." CITY makes no representations or warranties regarding the suitability of the Property for DISTRICT's intended use.

7. **DAMAGE AND REPAIR.** DISTRICT will be responsible for any damage caused to the Property resulting from its use and must promptly repair or pay CITY for the repair of such damage, including without limitation, the AV Equipment.

8. **ALTERATIONS.** DISTRICT will not make, or cause to be made, any alterations to Property, or any part thereof, without CITY's prior written consent.

9. **HAZARDOUS/TOXIC WASTE.** CITY has not, nor, to CITY's knowledge, has any third party used, generated, stored or disposed of, or permitted the use, generation, storage or disposal of, any Hazardous Material (as defined below) on, under, about or within Property in violation of any law or regulation. DISTRICT agrees that it will not use, generate, store or dispose of any Hazardous Material (as defined below) on, under, about or within Property in violation of any law or regulation. DISTRICT agrees to

defend and indemnify CITY, to the extent stated in Section 12, against any and all losses, liabilities, claims or costs arising from any breach of any warranty or agreement contained in this Section. As used in this Section, "Hazardous Material" means any substance, chemical or waste that is identified as hazardous, toxic or dangerous in any applicable federal, state or local law or regulation (including petroleum and asbestos).

10. **SIGNS.** DISTRICT will not place any sign upon Property without CITY's prior written consent. DISTRICT will pay for all costs of any approved signage and comply with all applicable sign codes and ordinances.

11. **ASSIGNMENT.** DISTRICT will not be permitted to assign this License or any interest therein.

12. INDEMNIFICATION.

- A. DISTRICT will hold CITY harmless and free from any and all liability arising out of this License, or its performance, including, without limitation, any loss, damage, or theft to DISTRICT's personal property authorized to be temporarily located in the Property pursuant to this License. Should CITY be named in any suit, or should any claim be against it, by suit or otherwise, whether the same be groundless or not, arising out of this License, or its performance, pursuant to this License, DISTRICT will defend CITY (at CITY's request and with counsel satisfactory to CITY) and will indemnify it for any judgment rendered against it or any sums paid out in settlement or otherwise.
- B. For purposes of this section "CITY" includes CITY's officers, officials, employees, agents, representatives, and certified volunteers.
- C. DISTRICT expressly agrees that this release, waiver, and indemnity agreement is intended to be as broad and inclusive as is permitted by the law of the State of California and that if any portion is held invalid, it is agreed that the balance will, notwithstanding, continue in full legal force and effect.
- D. It is expressly understood and agreed that the foregoing provisions will survive termination of this License.
- E. The requirements as to the types and limits of insurance coverage to be maintained by DISTRICT as required by Section 13 below, and any approval of said insurance by CITY, are not intended to and will not in any manner limit or qualify the liabilities and obligations otherwise assumed by DISTRICT pursuant to this License, including but not limited to the provisions concerning indemnification.

13. INSURANCE.

- A. Before commencing performance under this License, and at all other times this License is effective, DISTRICT will procure and maintain the following types of insurance with coverage limits complying, at a minimum, with the limits set forth below:

<u>Type of Insurance</u>	<u>Limits (combined single)</u>
Commercial general liability:	\$2,000,000
Workers compensation	Statutory limits

- B. Commercial general liability insurance will meet or exceed the requirements of the most current ISO Forms. The amount of insurance set forth above will be a combined single limit per occurrence for bodily injury, personal injury, and property damage for the policy coverage. Liability policies must be endorsed to name CITY, its officials, and employees as “additional insureds” under said insurance coverage and to state that such insurance will be deemed “primary” such that any other insurance that may be carried by CITY will be excess thereto. Such insurance will be on an “occurrence,” not a “claims made,” basis and will not be cancelable except upon thirty (30) days prior written notice to CITY except for nonpayment of premiums which may be cancelable upon 10 day notice.
- C. DISTRICT will furnish to CITY duly authenticated Certificates of Insurance and Endorsements evidencing maintenance of the insurance required under this License and such other evidence of insurance or copies of policies as may be reasonably required by CITY from time to time. Insurance must be placed with insurers with a current A.M. Best Company Rating equivalent to at least a Rating of “A:VII.” Certificate(s) must reflect that the insurer will provide 30 day notice of any cancellation of coverage. CONTRACTOR will require its insurer to modify such certificates to delete any exculpatory wording stating that failure of the insurer to mail written notice of cancellation imposes no obligation, and to delete the word “endeavor” with regard to any notice provisions.
- D. Should DISTRICT, for any reason, fail to obtain and maintain the insurance required by this License, CITY may obtain such coverage at DISTRICT’s expense and charge the cost of such insurance to DISTRICT under this License or terminate pursuant to Section 5.

14. COMPLIANCE WITH LAW. DISTRICT will, at its sole cost and expense, comply with all of the requirements of all federal, state, and local authorities now in force, or which may hereafter be in force, pertaining to Property and will faithfully observe in the

use of Property all applicable laws. The judgment of any court of competent jurisdiction, or the admission of DISTRICT in any action or proceeding against DISTRICT, whether CITY be a party thereto or not, that DISTRICT has violated any such ordinance or statute in the use of Property will be conclusive of that fact as between CITY and DISTRICT.

15. BREACH OF AGREEMENT. The violation of any of the provisions of this License will constitute a breach of this License by DISTRICT, and in such event said License will automatically cease and terminate.

16. WAIVER OF BREACH. Any express or implied waiver of a breach of any term of this License will not constitute a waiver of any further breach of the same or other term of this License.

17. ENTRY BY CITY AND PUBLIC. This License does not convey any property interest to DISTRICT. Except for areas restricted because of safety concerns, CITY and the general public will have unrestricted access upon Property for all lawful acts.

18. INSOLVENCY; RECEIVER. Either the appointment of a receiver to take possession of all or substantially all of the assets of DISTRICT, or a general assignment by the DISTRICT for the benefit of creditors, or any action taken or offered by DISTRICT under any insolvency or bankruptcy action, will constitute a breach of this License by DISTRICT, and in such event said License will automatically cease and terminate.

19. NOTICES. Except as otherwise expressly provided by law, all notices or other communications required or permitted by this License or by law to be served on or given to either party to this License by the other party will be in writing and will be deemed served when personally delivered to the party to whom they are directed, or in lieu of the personal service, upon deposit in the United States Mail, certified or registered mail, return receipt requested, postage prepaid, addressed as follows:

If to DISTRICT:

El Segundo Unified School District
641 Sheldon Street
El Segundo, CA 90245
Attention: Marisa Janicek,
Asst. Superintendent
Phone: (310) 615-2650 x1720
Email: mjanicek@esUSD.net

If to CITY:

City of El Segundo
50 Main Street
El Segundo, CA 90245
Attention:
Barbara Voss, Deputy City Manager
Phone: (310) 524-2389
Email: bvoss@elsegundo.org

Changes may be made in the names or addresses of persons to whom notices are to be given by giving notice in the manner prescribed in this paragraph.

20. ELECTRONIC SIGNATURES; SIGNATURE AUTHORITY. This Agreement may be executed by the Parties on any number of separate counterparts, and all such counterparts so executed constitute one Agreement binding on all the Parties notwithstanding that all the Parties are not signatories to the same counterpart. In accordance with Government Code § 16.5, the Parties agree that this Agreement, Agreements ancillary to this Agreement, and related documents to be entered into in connection with this Agreement will be considered signed when the signature of a party is delivered by electronic transmission. Such electronic signature will be treated in all respects as having the same effect as an original signature. DISTRICT warrants that its signatory (or signatories, as applicable) to this Agreement has the legal authority to enter this Agreement and bind DISTRICT accordingly.

21. GOVERNING LAW. This License has been made in and will be construed in accordance with the laws of the State of California and exclusive venue for any action involving this License will be in Los Angeles County.

22. PARTIAL INVALIDITY. Should any provision of this License be held by a court of competent jurisdiction to be either invalid or unenforceable, the remaining provisions of this License will remain in effect, unimpaired by the holding.

23. ENTIRE AGREEMENT. This License and its exhibits constitute the sole agreement between CITY and DISTRICT respecting Property, the use of Property by DISTRICT, and the specified License term, and correctly sets forth the obligations of CITY and DISTRICT. Any agreement or representations respecting Property or its licensing by CITY to DISTRICT for the purposes set forth herein that are not expressly set forth in this instrument are void.

24. CONSTRUCTION. The language of each part of this License will be construed simply and according to its fair meaning, and this License will never be construed either for or against either Party.

25. AUTHORITY/MODIFICATION. The Parties represent and warrant that all necessary action has been taken by the Parties to authorize the undersigned to execute this License and to engage in the actions described herein. This License may be modified by written agreement. CITY's city manager, or designee, may execute any such amendment on behalf of CITY.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF the parties hereto have executed this contract the day and year first hereinabove written.

CITY OF EL SEGUNDO

EL SEGUNDO UNIFIED SCHOOL DISTRICT

Darrell George,
City Manager

By:_____

Name:_____

ATTEST:

Tracy Weaver,
City Clerk

APPROVED AS TO FORM:
MARK D. HENSLEY, CITY ATTORNEY

By: _____
Joaquin Vazquez, Assistant City Attorney

INSURANCE APPROVED BY:

Risk Management

EXHIBIT "A"

**ESUSD Board of Education Proposed Meeting Dates
City of El Segundo Council Chamber**

August 27, 2024
September 10, 2024
September 24, 2024
October 8, 2024
October 22, 2024
November 12, 2024
January 14, 2025
January 28, 2025
February 11, 2025
February 25, 2025
March 11, 2025
March 25, 2025
April 8, 2025
April 22, 2025
May 13, 2025
May 27, 2025
June 10, 2025
June 24, 2025
July 8, 2025
August 26, 2025

EXHIBIT “B”

ESUSD Board of Education City of El Segundo Council Chamber

Estimated Production Cost/Staff Time Reimbursement

1. PRE-PRODUCTION

(Coordination/Scheduling, Equipment/Facility Prep)

- Media Supervisor @ 130.67/hour – up to 1 hour – no charge
- Senior Video Technician II (PERS) @ 53.67/hour – 2 hours (\$107.34) (TD/Audio)
- Senior Video Technician II @ 43.30/hour – 2 hours (\$86.60) (Camera/GFX/Stream)

Pre-Production Total - \$193.94

2. PRODUCTION

(Recording Meeting)

- Senior Video Technician II (PERS) @ 53.67/hour – 2 hours (\$107.34) (TD/Audio)
- Senior Video Technician II @ 43.30/hour – 2 hours (\$86.60) (Camera/GFX/Stream)

Production Total (estimate for a two-hour meeting) - \$193.94

3. POST-PRODUCTION

(Teardown, Archive)

- Senior Video Technician II (PERS) @ 53.67/hour – 1 hour (\$53.67)
- Senior Video Technician II @ 43.30/hour – 1 hour (\$43.30)

Post-Production Total – \$96.97

Total (two-hour meeting) - \$484.85

Notes:

“Production” cost (#2) is based on an estimated two-hour live ESUSD Board of Education meeting. The actual production cost may vary based on the duration of any given meeting. DISTRICT will pay CITY for CITY’s actual production costs, as reflected in CITY invoices to DISTRICT.

“Pre-Production” (#1) and “Post-Production” (#3) costs are fixed.



City Council Agenda Statement

Meeting Date: September 17, 2024

Agenda Heading: Consent

Item Number: B.11

TITLE:

Request to Waive El Segundo Municipal Code § 10-1-4(C) to Allow Alcohol on City Property for the El Segundo Kiwanis Main Street Fair

RECOMMENDATION:

1. Approve request to waive El Segundo Municipal Code § 10-1-4(C) to allow alcohol in the City-owned parking lot at the north-east corner of Main Street and Grand Avenue for the El Segundo Kiwanis Main Street Fair on Saturday, September 28, 2024.
2. Alternatively, discuss and take other action.

FISCAL IMPACT:

City Council approved a 75% fee waiver to support this event.

BACKGROUND:

El Segundo Municipal Code (ESMC) 10-1-4(C) prohibits the consumption or possession of intoxicating liquor on any street, sidewalk or parkway, park, playground, or in any public place, or in any place open to the patronage of the public, whose premises are not licensed for the consumption of liquor. City Council approval is required to waive this general prohibition.

DISCUSSION:

The El Segundo Kiwanis Club has requested to host a "Beer and Spirits Garden" at the club's Main Street Fair on Saturday, September 28, 2024 in the City-owned parking lot at the north-east corner of Main Street and Grand Avenue. The "Beer and Spirits Garden" would serve as a fundraiser for the El Segundo Kiwanis Club. The event is scheduled to take place on Main Street, Holly Avenue, and Grand Avenue with the "Beer Garden" to be located in the City-owned parking lot at the north-east corner of Main Street and Grand Avenue. The "Beer Garden" would be completely enclosed with

Waive City Municipal Code section 10-1-4(C) for the El Segundo Kiwanis Main Street Fair
September 17, 2024
Page 2 of 2

perimeter fencing to allow for greater control and supervision (Attachment A).

The event is scheduled from 9:00 a.m. to 5:00 p.m., however, the "Beer Garden" will operate from 11:00 a.m. to 5:00 p.m. Staff will continue to work with the El Segundo Kiwanis Club Secretary, Barry Gribbon, on the logistics for the event. To obtain a City permit for the event, the El Segundo Kiwanis Club would be subject to compliance with California Department of Alcohol Beverage Control (ABC) regulations and would need to obtain a temporary permit from ABC specifically for the event.

CITY STRATEGIC PLAN COMPLIANCE:

Goal 3: Deliver Solution-Oriented Customer Service, Communication, Diversity, Equity, and Inclusion

Strategy A: Enhance proactive community engagement program to educate and inform the public about City services, programs, and issues.

Goal 5: Champion Economic Development and Fiscal Sustainability

Strategy C: Implement strategic initiatives to attract new businesses and foster business to business networking and collaboration to retain and grow existing businesses.

PREPARED BY:

Linnea Palmer, Recreation Specialist

REVIEWED BY:

Aly Mancini, Recreation, Parks and Library Director

APPROVED BY:

Barbara Voss, Deputy City Manager

ATTACHED SUPPORTING DOCUMENTS:

None



City Council Agenda Statement

Meeting Date: September 17, 2024

Agenda Heading: Consent

Item Number: B.12

TITLE:

Second Reading of an Ordinance Amending El Segundo Municipal Code Titles 7, 9, and 10 to Establish Camping and Associated Regulations on Public Property and Rules of Conduct for the El Segundo Public Library

RECOMMENDATION:

1. Waive the second reading, including by title, and adopt an ordinance amending El Segundo Municipal Code Titles 7, 9, and 10 to establish camping and associated regulations on public property and rules of conduct for the El Segundo Public Library and find that such actions are exempt from the California Environmental Quality Act, pursuant to Guidelines §§ 15060(c)(3), 15061(b)(3), and 15378.
2. Alternatively, discuss and take other action related to this item.

FISCAL IMPACT:

While activities to ensure constitutional due process and carry out enforcement will require personnel and storage space, it is not currently anticipated that such requirements will cause a fiscal impact on the City's General Fund.

BACKGROUND:

On June 28, 2024, the U.S. Supreme Court ("Supreme Court") issued its ruling on the City of Grants Pass, Oregon v. Johnson et al. case regarding Grants Pass's ordinance penalizing camping on public property. The text of the opinion is available for download here: <https://bit.ly/3LEOmYO>. In its ruling, the Supreme Court upheld the city's anti-camping restrictions, rejecting prior legal precedent from the U.S. Court of Appeals for the Ninth Circuit's decision in Martin v. Boise that previously found anti-camping laws constituted cruel and unusual punishment under the Eighth Amendment of the U.S. Constitution unless adequate shelter space was available. Accordingly, such anti-camping laws may be enforced regardless of whether adequate shelter space is available within the given jurisdiction.

Ordinance Second Reading

September 17, 2024

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The Supreme Court touted Grants Pass's "multifaceted approach" to the homelessness crisis that respects the homeless population's constitutional rights (e.g., due process) and property interests of the homeless population. The Supreme Court observed Grants Pass's "light-touch approach to enforcement" that was paired with a "homeless community liaison" that provides such individuals in need with information about assistance programs and other resources.

The Supreme Court held that Grants Pass's generally applicable public-camping laws are constitutionally valid so long as they do not criminalize the status of homelessness. Grants Pass's public-camping ordinance criminalizes actions undertaken by any person, regardless of status. The Supreme Court emphasized that it makes no difference whether the charged defendant is currently a person experiencing homelessness, a backpacker on vacation, or a student who abandons a dorm room to camp out in protest on the lawn of a municipal building. Use and enforcement of these laws prohibiting camping are not to criminalize homelessness but are important tools to encourage individuals experiencing homelessness to accept services and to help ensure safe and accessible sidewalks and public spaces.

Within this regulatory space, Governor Gavin Newsom's July 25, 2024 Executive Order N-1-24 encourages cities to apply for the newly available \$3.3 billion in competitive grant funding from Proposition 1 to establish or expand care to those experiencing mental health and substance use disorders, with a focus on homeless while ordering state agencies to adopt clear policies that urgently address homeless encampments. It is recommended that the City explore this and other funding options as it looks to augment its regulatory approach.

With regard to the El Segundo Public Library ("Library"), state law authorizes municipal library boards of trustees to "make and enforce all rules, regulations, and bylaws necessary for the administration, government, and protection of the libraries under its management, and all property belonging thereto." (Ed. Code, § 18919.) On December 4, 1990, the City Council adopted Resolution No. 3665 to establish the El Segundo Board of Library Trustees ("Library Board"). Subsequently, the Library Board has adopted various iterations of El Segundo Library Rules of Conduct ("Library Rules"), in accordance with state law. Given increased violations of the Library Rules in recent years, including numerous from individuals experiencing homelessness, it is recommended that the Library Rules be observed and incorporated into the El Segundo Municipal Code (ESMC) to apply the ESMC's enforcement options to violations of the Library Rules and facilitate the safe and efficient operation of the Library.

DISCUSSION:

Proposed for City Council first reading is an ordinance that would establish and update regulations in the ESMC in light of the Supreme Court's Grant Pass decision. The proposed modifications to the ESMC are as follows:

Ordinance Second Reading

September 17, 2024

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- Updating of ESMC § 7-6-1 (Use of Vehicles for Human Habitation) to expand the existing prohibition of overnight habitation from specific locations (e.g., street, beach, park, etc.) to include all "public property" in the prohibition.
- Creating a new ESMC Chapter 7-8 (Prohibited Camping and Right of Way Obstruction) to model Grants Pass's camping prohibitions, as follows:
 - Prohibiting setting up or remaining at a campsite, which would be defined as, "any place where bedding, sleeping bag, or other material used for bedding purposes, or any stove or fire is placed, established, or maintained for the purpose of maintaining a temporary place to live, whether or not such place incorporates the use of any tent, lean-to, shack, or any other structure, or any vehicle or part thereof." (emphasis added.)
 - The El Segundo Police Department (ESPD) can remove campsites if at least 24-hour notice is provided in advance and notice is provided to social service agencies that can provide services to homeless individuals. Individuals will have 30 days to confirm ownership and regain custody of personal property that ESPD confiscates that is not held as evidence of a crime (e.g., drug paraphernalia and weapons).
 - Violators will be subject to civil citations, and upon the third violation within one year, a violator will be prohibited from the property where the violation occurred, and if the 30-day ban is violated, the City may enforce the violation as criminal trespass subject to a fine not exceeding \$1,000 or imprisonment for not more than six months, or both, pursuant to Penal Code § 19. Moreover, violations of the ESMC are subject to administrative, civil, and criminal enforcement via ESMC Chapters 1-2, 1-2A, and 7-1.
- The new proposed ESMC Chapter 7-8 (Prohibited Camping and Right of Way Obstruction) would also prohibit certain obstructions in the public right of way. This would prohibit sleeping, lying or storing personal property on any public sidewalk, street, or alleyway.
- Updating of ESMC Chapter 10-1 (Park Rules and Regulations) to update its current park camping restrictions to cross-reference to the new broad public property camping restrictions that will be set forth in the new ESMC Chapter 7-8.
- Updating of ESMC Chapter 10-3 (Beach Regulations) to update its current beach camping restrictions to cross-reference to the new broad public property camping restrictions that will be set forth in the new ESMC Chapter 7-8.

With regard to the Library, the ordinance would:

- Amend ESMC § 9-7-2 to incorporate the Library Rules by reference and enable the ESMC's broad enforcement mechanisms as to Library Rules violations. It is recommended that the Library Board analogously consider updates to the Library Rules to additionally ensure the Library's safe and efficient operation.

Ordinance Second Reading

September 17, 2024

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Given the Supreme Court's guidance in Grants Pass, the proposed regulations and associated enforcement should be part of a broad and multifaceted City approach to the homelessness crisis that respects the rights of and property of the homeless. Staff from the City's Proactive Approach to Combating Homelessness in El Segundo (PATCHES) program, as presented by ESPD to the City Council at its July 2, 2024 meeting, should make a homeless community liaison available that provides individuals experiencing homelessness with information about assistance programs and other resources.

The City Council approved the proposed ordinance for first reading at its regular meeting on September 3, 2024. The approval included additional language recommended by the City Attorney's office as an exception to the 24-hour notice of encampment cleanup for circumstances where there is an imminent threat to the public safety or welfare that does not make notice feasible. The attached draft ordinance includes such additional language. If approved for second reading and adopted, the ordinance would become effective 30 days thereafter.

CITY STRATEGIC PLAN COMPLIANCE:

Goal 2: Optimize Community Safety and Preparedness

Strategy A: Comprehensively address the unsheltered homeless population.

PREPARED BY:

Joaquin Vazquez, Assistant City Attorney

REVIEWED BY:

Mark Hensley, City Attorney

APPROVED BY:

Barbara Voss, Deputy City Manager

ATTACHED SUPPORTING DOCUMENTS:

1. Ordinance

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL SEGUNDO, CALIFORNIA, AMENDING CHAPTER 6 (GENERAL OFFENSES) OF TITLE 7 (NUISANCES AND OFFENSES) OF THE EL SEGUNDO MUNICIPAL CODE; ADDING CHAPTER 8 (PROHIBITED CAMPING) TO TITLE 7 (NUISANCES AND OFFENSES) TO THE CODE; AMENDING CHAPTERS 1 (PARK RULES AND REGULATIONS) AND 3 (BEACH REGULATIONS) OF TITLE 10 (PARKS AND RECREATION); AND AMENDING CHAPTER 7 (PUBLIC BUILDINGS) OF TITLE 9 (PUBLIC WAYS AND PROPERTY) TO ESTABLISH ANTI-CAMPING AND ASSOCIATED REGULATIONS ON PUBLIC PROPERTY AND AUTHORIZE THE ADOPTION AND ENFORCEMENT OF EL SEGUNDO PUBLIC LIBRARY RULES OF CONDUCT

THE CITY COUNCIL DOES ORDAIN AS FOLLOWS:

SECTION 1. *Findings.* The City Council finds and declares as follows:

- A. The California Constitution provides that a city may make and enforce within its limits all local, police, sanitary and other ordinances and regulations not in conflict with general law.
- B. The City of El Segundo ("City") is committed to protecting the life, health, and safety of its residents and all people within the geographical boundaries of the City.
- C. The City currently prohibits camping in public parks and beaches as well as using vehicles for human habitation in specified public areas.
- D. The City Council desires to expand its current camping prohibitions to establish more extensive regulations prohibiting camping on public property throughout the City.
- E. On June 28, 2024, the U.S. Supreme Court issued its ruling on the *City of Grants Pass, Oregon v. Johnson et al.* case, upholding Grants Pass's ordinance prohibiting camping on public property to tackle the issue of homelessness.
- F. The *Grants Pass* ruling provided cities with more regulatory tools to regulate and enforce certain camping restrictions on public property.
- G. On July 25, 2024, Governor Gavin Newsom issued Executive Order N-1-24 directing state agencies to adopt clear policies that urgently

address homeless encampments on state property in a humane manner and encourages local governments to do the same.

- H. the City Council is committed to protecting the rights of individuals who cannot obtain shelter and to treating their personal property with respect and consideration.
- I. City streets, sidewalks, and parks are intended for safe and sanitary shared use by a diverse community of users including businesses, government, and the general public for gathering, recreating, movement of people, maintenance, and cleaning, and are frequently used by people relying on a variety of mobility devices.
- J. To mitigate risks to health and safety of its citizens, the City Council desires to adopt regulations prohibiting camping on public property, regardless of the availability of shelter, due to the significant health and safety risk to those in homeless encampments, the general public, and the environment.
- K. State law authorizes municipal library boards of trustees to "make and enforce all rules, regulations, and bylaws necessary for the administration, government, and protection of the libraries under its management, and all property belonging thereto." (Ed. Code, § 18919.)
- L. On December 4, 1990, the City Council adopted Resolution No. 3665 to establish the El Segundo Board of Library Trustees ("Library Board").
- M. Subsequently, the Library Board has adopted various iterations of El Segundo Library Rules of Conduct ("Library Rules"), in accordance with state law.
- N. Given increased violations of the Library Rules in recent years, including numerous from individuals experiencing homelessness, the City Council seeks to incorporated the Library Rules the El Segundo Municipal Code to apply its enforcement options to violations of the Library Rules and facilitate the safe and efficient operation of the Library.

SECTION 2. *Amendment.* Section 7-6-1– Use of Vehicles for Human Habitation – of the El Segundo Municipal Code is hereby amended and will read as follows (deletions in ~~strikethrough~~ and additions in double underline):

Title 7 – NUISANCES AND OFFENSES
Chapter 6 – GENERAL OFFENSES

7-6-1 Use of Vehicles for Human Habitation

- A. Mobile Home, Campers: No person shall use or occupy or permit the use or occupancy of any mobile home, camper, house trailer or other recreational vehicle for human habitation, including, but not limited to, sleeping, eating or resting, on any public property, such as a street, park, beach, square, avenue, alley, public parking lot or public way, within the city between the hours of ten o'clock (10:00) P.M. and six o'clock (6:00) A.M.

- B. Motor Vehicles: No person shall use or occupy or permit the use or occupancy of any motor vehicle for human habitation, including, but not limited to, sleeping, eating or resting, on any public property, such as a street, park, beach, square, avenue, alley, parking lot or public way, within the city, between the hours of ten o'clock (10:00) P.M. and six o'clock (6:00) A.M. For purposes of this section, "motor vehicle" shall mean any self propelled vehicle other than a house car, camper or trailer coach. For purposes of this section "habitation" shall mean the use of a motor vehicle for a dwelling place, and shall not mean the use of a motor vehicle for amelioration of sickness or other temporary physical disabilities causing an inability to operate such a motor vehicle.

SECTION 3. Amendment; Addition. Chapter 8 – Prohibited Camping – of the El Segundo Municipal Code is hereby added to Title 7 – Nuisances and Offenses – and will read as follows (deletions in ~~strikethrough~~ and additions in double underline):

Title 7 – NUISANCES AND OFFENSES
Chapter 8 – PROHIBITED CAMPING

7-8-1 Definitions

Unless the context requires otherwise, the following definitions apply to Chapter 8.

- A. “To camp” means to set up or to remain in or at a campsite.

- B. “Campsite” means any place where bedding, sleeping bag, or other material used for bedding purposes, or any stove or fire is placed, established, or maintained for the purpose of maintaining a temporary place to live, whether or not such place incorporates the use of any tent, lean-to, shack, or any other structure, or any vehicle or part thereof.

7-8-2 Sleeping, Lying, or Storing Personal Property on Sidewalks, Streets, Alleys, or Public Right of Way Prohibited

- A. No person may sleep, lie, or store personal property on public sidewalks, streets, alleyways, or public right of way at any time as a matter of

individual and public safety and to ensure compliance with pedestrian accessibility requirements.

- B. In addition to any other remedy provided by law, a person found in violation of this section may be immediately removed from the premises.

7-8-3 Camping Prohibited

No person may occupy a campsite in or upon any sidewalk, street, alley, lane, public right of way, park, bench, or any other publicly-owned property or under any bridge or viaduct, unless (i) otherwise specifically authorized by this Code or (ii) upon City Council resolution, the City Council may exempt a special event from the prohibitions of this section, if the City Council finds such exemption to be in the public interest and consistent with their goals and notices and in accordance with conditions imposed by the City Council. Any conditions imposed will include a condition requiring that the applicant provide evidence of adequate insurance coverage and agree to indemnify the City for any liability, damage or expense incurred by the City as a result of activities of the applicant. Any findings by the City Council shall specify the exact dates and location covered by the exemption.

7-8-4 Removal of Campsite on Public Property

Upon discovery of a campsite on public property, removal of the campsite by the Police Department, or designee, may occur under the following circumstances:

- A. Prior to removing the campsite, the City shall post a notice, 24-hours in advance.
- B. At the time a 24-hour notice is posted, the City shall inform a local agency delivering social services to homeless people of the location of the campsite.
- C. After the 24-hour notice period has passed, the Police Department, or designee, is authorized to remove the campsite and all personal property related thereto.
- D. The foregoing notwithstanding, campsite removal may proceed without the above-referenced notice only if an imminent threat to the public health, safety, and welfare exists (e.g., fire on site) that requires immediate removal to protect the public health, safety, and welfare.

7-8-5 Disposition and Release of Personal Property

For purposes of this Chapter, "personal property" means any item

reasonably recognizable as belonging to a person and having apparent utility or monetary value. Items having no apparent utility or monetary value and items in an unsanitary condition may be immediately discarded. Weapons, drug paraphernalia, items appearing to be stolen, and evidence of a crime may be retained as evidence by the Police Department, or designee, until an alternate disposition is determined. All personal property removed from the campsite which is not retained, disposed of, or held as evidence shall be stored by the Police Department, or designee, for a minimum of 30 days, during which time it shall be reasonably available for and released to an individual confirming ownership.

7-8-6 Violation

Any violation of this Chapter shall subject the violating individual to such penalties, as authorized under the law or otherwise in this code, including without limitation, the penalties and enforcement mechanisms set forth in Chapters 1-2 and 1-2A. The foregoing notwithstanding, the City may also enforce violations of this Chapter as follows:

- A. A third violation of the same provision within one year shall result in a 30-day ban of the violating individual from the property in which the violation occurred. An individual who violates this 30-day ban is considered to be committing criminal trespass, punishable by a fine not to exceed one thousand dollars (\$1,000.00) or imprisonment for not more than six (6) months or both.

SECTION 4. Amendment. Section 10-1-4 – Rules and Regulations – of the El Segundo Municipal Code is hereby amended and will read as follows (deletions in ~~strikethrough~~ and additions in double underline):

Title 10 – PARKS AND RECREATION Chapter 1 – PARK RULES AND REGULATIONS

10-1-4: Rules and Regulations

- A. Park Rule One; Animals And Fowl: No person within any public park shall hitch, fasten, lead, drive or let loose any animal or fowl of any kind; provided, that this shall not apply to dogs when led by a cord or chain not more than six feet (6') long.
- B. Park Rule Two; Riding Or Driving Animals Or Vehicles: No person within any public park shall ride or drive any horse or other animal, or propel any vehicle, cycle or automobile, except in designated areas.
- C. Park Rule Three; Consumption Or Possession Of Intoxicating Liquor: No person shall drink any intoxicating liquor or possess an open container of an

alcoholic beverage upon any street, sidewalk or parkway, park, playground, or in any public place, or in any place open to the patronage of the public, which premises are not licensed for the consumption of liquor on the premises.

- D. Park Rule Four; Injuring Structures, Vegetation: No person within any public park shall cut, break, injure, deface or disturb any tree, shrub, plant, rock, building, cage, pen, monument, sidewalk, paved area, fence, bench or other structure, apparatus or property; or, pluck, pull up, cut, take or remove any shrub, bush, plant or flower; or, mark or write upon, paint or deface in any manner, any building, monument, fence, bench, sidewalk, paved area or other structure.
- E. Park Rule Five; Removing Vegetation, Gravel: No person within any public park shall cut or remove any wood, turf, grass, soil, rock, sand, gravel or fertilizer.
- F. Park Rule Six; Water Restrictions: No person within any public park shall swim, fish in, bathe, wade in or pollute the water of any fountain, pond, lake or stream; provided, however, that nothing herein contained shall be construed as prohibiting the use for the purpose intended of any casting pool, wading pool or bathing pool, specially provided for the particular use.
- G. Park Rule Seven; Use Of Fires: No person within any public park shall make or kindle a fire except in picnic stoves or fireplaces provided for that purpose.
- H. Park Rule Eight; Camping: No person within any public park shall camp or lodge therein in accordance with the provisions of Chapter 8, Title 7 of this Code, except by permission in writing from the City Council.
- I. Park Rule Nine; Cooking: No person within any public park shall cook, prepare, or sell any food except at the places provided, or unless the City has issued a sidewalk vending permit or otherwise approved of such activities.
- J. Park Rule Ten; Waste Liquid Disposal: No person within any public park shall wash dishes or empty salt water or other waste liquids elsewhere than in the sinks provided for such purposes.
- K. Park Rule Eleven; Refuse Disposal: No person within any public park shall leave any garbage, cans, bottles, papers or other refuse elsewhere than in the receptacles provided therefor.
- L. Park Rule Twelve; Playing Games: No person within any public park shall play or engage in any baseball, softball, football, soccer ball, volleyball or other game excepting at such places as shall be especially designated or set apart for that purpose.

- M. Park Rule Thirteen; Gambling: No person within any public park shall play or bet at or against any game which is played, conducted, dealt or carried on with cards, dice or other device for money, chips, shells, credit or any other representative of value, or maintain or exhibit any gambling table or other instrument of gambling or gaming.
- N. Park Rule Fourteen; Indecent Conduct; Disturbing Peace: No person within any public park shall indulge in riotous, indecent conduct, or abusive, threatening, profane or indecent language or operate any radio or musical instrument in such a manner as to disturb in any manner any picnic, meeting, services, concert, exercise or exhibition.
- O. Park Rule Fifteen; Disturbing Concerts, Meetings: No person within any public park shall disturb in any manner any picnic, meeting, services, concert, exercise or exhibition.
- P. Park Rule Sixteen; Distribution Of Handbills, Matter: No person within any public park shall distribute any handbills or circulars, or post, place or erect any bills, notice, paper or advertising device or matter of any kind.
- Q. Park Rule Seventeen; Hours Of Operation: No person shall remain, stay or loiter in any public park between the period commencing at ten o'clock (10:00) P.M. on any day and ending one hour before sunrise of the following day, except by special written permission of either the City Council or the Director of Recreation, Parks, and Library.
- R. Park Rule Eighteen; Permission To Hold Meetings, Concerts: No person within any public park shall hold any meeting, service, concert, exercise or exhibition without first obtaining written permission from the City Council to do so.
- S. Park Rule Nineteen; Permission For Certain Groups: No person, company, society, organization, gathering or group of more than twenty five (25) persons shall hold or conduct any picnic, celebration, parade, service, exercise, gathering, assembly or meeting in any public park within the City without first obtaining a written permit to do so from the Recreation, Parks, and Library Department, and no person shall attend, take part in or be a participant in any such picnic, celebration, service, exercise, gathering, assembly or meeting in the public park, unless such permission has been first obtained.
- T. Park Rule Twenty; Women's Restroom Restricted: No male person over eight (8) years of age shall enter or use any toilet or restroom for women in any public park.

- U. Park Rule Twenty Two; Reserved Signs, Removal: No person within any public park shall remove from any park equipment any sign indicating that the equipment is reserved.
- V. Park Rule Twenty Two; Reserved Tables, Space Or Facility: No person within any public park shall use or attempt to use or interfere with the use of any table, space or facility in the park which at the time is reserved by written reservation then in effect issued to or for any other person; provided, however, that all the reservations shall specify the period covered by same and shall be subject to cancellation by the Recreation, Parks, and Library Department. Unless the actual use of the table, space or facility referred to in any reservation is commenced within thirty (30) minutes after the period covered by the reservation begins, the reservation shall thereupon be void and all rights under the reservation may be cancelled by the Recreation, Parks, and Library Department.

SECTION 5. Amendment. Section 10-3-11 – Rules and Regulations – of the El Segundo Municipal Code is hereby amended and will read as follows (deletions in ~~strikethrough~~ and additions in double underline):

**Title 10 – PARKS AND RECREATION
Chapter 3 – BEACH REGULATIONS**

10-3-11 Rules and Regulations

A. Alcoholic Beverages; Intoxication:

1. Possession Or Consumption Prohibited: No person shall enter, be or remain on any beach while in possession of, transporting, purchasing, selling, giving away or consuming any alcoholic beverage.
2. Intoxicated Persons: An intoxicated person in an intoxicated condition shall not enter, remain on, or be on any beach.

B. Animals:

1. Bringing To Beach Prohibited: No person shall maintain or bring on any beach nor bring into the waters of the Pacific Ocean adjacent to any beach, any cattle, horse, mule, goat, sheep, swine, dog, cat or other animal of any kind, whether such animal is leashed or unleashed.
2. Riding Horses, Other Animals: No person shall ride a horse, mule, burro, or donkey, or other similar animal, or lead such animal on, upon, along any beach or in or along the waters of the Pacific Ocean adjacent to any beach.

C. Ball Regulations: No person shall cast, toss, throw, kick, or roll any ball, tube or any light object other than inflated rubber balls not less than ten

inches (10") in diameter upon or over any beach regulated by this Chapter or upon or over any waters of the Pacific Ocean opposite such beach.

- D. Bathing, Swimming: No person shall swim, bathe, or immerse himself in the waters of the Pacific Ocean opposite any beach regulated by this Chapter more than two hundred (200) yards from shore except:
1. A person who is the owner of a vessel, or who acts at the request of such owner while engaged in servicing or repairing such vessel, and then only in the immediate area of such vessel.
 2. A person engaged in the sport commonly known as aquaplaning, water skiing, or any derivations thereof; provided, that such person is at all times wearing a safety belt approved by the Director.
 3. A skin diver equipped with swim fins and a face plate if at all times he maintains within fifty (50) yards of himself a boat or a surf mat, paddleboard or surfboard upon which there is a rectangular flag twelve inches by fifteen inches (12" x 15"), orange-red in color with a white diagonal stripe three inches (3") wide running from one corner to the diagonally opposite corner. The flag shall be flown high enough so as not to touch the water.
 4. No person shall surf more than fifty (50) yards beyond the farthest breaking wave when such farthest breaking wave is more than one hundred fifty (150) yards from shore.
- E. Boating: No person shall operate any vessel within three hundred (300) yards of the shoreline of any beach regulated by this Chapter except when necessary in taking it to or from its lawful mooring place or when necessary in the case of emergency, or upon special permit issued by the City Council.
- F. Disturbance: No person shall disturb the peace and quiet of any beach by:
1. Any unduly loud or unusual noise; or
 2. By tooting, blowing, or sounding any automobile siren, horn, signal or noise-making device; or
 3. By any tumultuous conduct; or
 4. By the use of any vulgar, profane or indecent language.
- G. Fires: No person shall light or maintain any fire on any beach.
- H. Flora And Turf: No person shall dig, remove, destroy, injure, mutilate, or cut any tree, plant, shrub, bloom or flower, or any portion thereof, growing on the beach. No person shall remove any wood, turf, grass, soil, rock, sand or gravel from the beach.
- I. Glass, Bottles: No person shall place, throw, leave, keep or maintain any bottle, glass, crockery, sharp or pointed article or thing in such a manner

that any person on a beach is or may be cut, pricked, or in any way injured thereby.

- J. Guy Wires: No person shall fasten or maintain any guy wire, guy rope or exterior bracing or support of any tent, lodge, shelter or structure between it or any portion thereof, and any structure, stake, rock or thing outside of such tent, lodge, shelter or structure.
- K. Inflated Equipment: No person shall use in the Pacific Ocean opposite any beach regulated by this Chapter, any inflated equipment of any kind except a standard surf mat which is:
 - 1. Constructed of a durable material with a nonslippery surface;
 - 2. So constructed that, when inflated for use, it will not fold in any direction;
 - 3. Not smaller than twenty four inches by forty inches (24" x 40");
 - 4. Not larger than thirty inches by sixty inches (30" x 60");
 - 5. Equipped with a safety rope.
- L. Loitering: No person shall loiter on any beach at any time between the hours of twelve o'clock (12:00) midnight and six o'clock (6:00) A.M.
- M. Overnight Use And Camping: No person shall camp on or use for overnight sleeping purposes any beach or bring a house-trailer or similar vehicle onto any beach accordance with the provisions of Chapter 8, Title 7 of this Code.
- N. Pollution:
 - 1. Oil:
 - a. No person shall deposit, place, throw, divert, or in any manner dispose of, or cause or permit to be deposited, placed, thrown, diverted, or in any manner disposed of, any crude petroleum, refined petroleum, engine oil, or any oily byproduct thereof or any tar or any product containing tar, or any oily substance into the waters of the Pacific Ocean, or into or upon the waters of any lagoon, bay, inlet, or tributary thereof; or deposit, place, throw, divert, or in any manner dispose of any crude petroleum, refined petroleum, engine oil, or any oily byproduct thereof, or any tar, or any product containing tar, or any oily substance upon any beach, tideland, or submerged land, or any portion thereof.
 - b. No person shall deposit, place, throw, divert, keep, maintain, or in any manner dispose of, or cause or permit to be deposited, placed, thrown, diverted, kept, maintained, or in any manner disposed of any crude petroleum, refined petroleum, engine oil, or any oily byproduct thereof, or any tar, or any product containing tar or any oily substance into, along, or upon any land, premises, or place in such a manner that the same, or any portion thereof, may run or be transferred or carried to, or be in any manner deposited upon or conveyed to any

beach, tideland or submerged land, or any portion thereof, or into or upon the waters of the Pacific Ocean, or into or upon the waters of any lagoon, bay, inlet, or tributary thereof.

2. Other: No person shall deposit, place, throw, or in any manner dispose of any dead animal or any portion thereof, or any vegetable or animal matter, or any offal, night soil, manure, rubbish, trash, garbage, or any decaying or putrid matter, material or substance which might decay or become putrid, or any matter, material or substance which is or might become injurious to health or which is or might become a nuisance or offensive to the senses of any person coming in proximity thereto, into the waters of the Pacific Ocean, or into the waters of any lagoon, bay, inlet or tributary thereof, of, in, upon, or along any beach, tideland, or submerged land, or any portion thereof, or keep or maintain or cause or permit to be kept or maintained upon any premises or in or at any place, any article, substance, or thing hereinabove in this Section enumerated, in such manner that any such article, substance or thing, or any portion thereof may be transferred or carried to, or be in any manner deposited upon or conveyed to any beach, tideland, or submerged land, or any portion thereof, or into or upon the waters of the Pacific Ocean, or into or upon the waters of any lagoon, bay, inlet or tributary thereof.

O. Buildings And Structures:

1. Recreation Building: No person shall use any recreation building at any time except between the hours of eight o'clock (8:00) A.M. and twelve o'clock (12:00) midnight of any day except upon written permit from the Chief of Police.
2. Structures And Facilities: No person, other than a duly authorized employee of the City, in the performance of his duties shall:
 - a. Cut, break, injure, deface or disturb any rock, building, cage pen, monument, sign, fence, bench, structure, apparatus, equipment or property on a beach, or any portion thereof;
 - b. Mark or place thereon or on any portion thereof, any mark, writing, or printing;
 - c. Attach thereto any sign, card, display or other similar device.

- P. Rubbish: No person shall throw, place or dispose of any garbage refuse, or can in any place on a beach or into or upon the waters of the Pacific Ocean other than into a garbage can or other receptacle maintained there for that purpose. No person shall throw, place or dispose of, any waste paper or combustible refuse in any place on a beach or into or upon the waters of the Pacific Ocean other than into a receptacle maintained for that purpose.

- Q. Shelters: No person shall erect, maintain, use or occupy on a beach any tent, lodge, shelter or structure unless such tent, lodge, shelter or structure shall have two (2) sides thereof entirely open, and unless there shall be an

unobstructed view into such tent, lodge, shelter, or structure from the outside thereof on at least two (2) sides thereof.

- R. Shooting: No person shall discharge or shoot any firearms, air gun, slingshot or bow and arrow anywhere on a beach.
- S. Solicitation: No person shall solicit in any manner or for any purpose, or sell or offer for sale, any goods, wares or merchandise, or distribute or pass out any handbills, advertising matter or literature on a beach.
- T. Surfboards, Surf Mats, Paddleboards:
 - 1. Waters Restricted:
 - a. No person shall use, possess or operate in the waters of the Pacific Ocean opposite any beach regulated by this Chapter any object commonly known as a surfboard, paddleboard or similar device (but not including surf mats and belly boards) at such times when said waters are restricted for swimming and bathing only.
 - b. Such restrictions shall be effective when a yellow flag having dimensions of not less than two feet by two feet (2' x 2') and having a solid black circle in the center (commonly known as a "blackball flag") is prominently displayed from a lifeguard tower, lifeguard station, pier or similar structure under the control of the City. At such times as the blackball flag is displayed, swimming and bathing only shall be permitted in the waters of the Pacific Ocean opposite those areas of the beach within two hundred (200) yards of the point of display of said blackball flag; provided, however, that where said blackball flag is displayed from consecutive operational lifeguard towers, lifeguard stations and similar structures under the control of the City along a beach regulated by this Chapter, then all waters of the Pacific Ocean opposite said beach shall be restricted to swimming and bathing only.
 - c. Such restrictions shall also be indicated by pairs of red flags put in place by the chief of police. At such times as said red flags are displayed, swimming and bathing only shall be permitted in the waters of the Pacific Ocean opposite those areas of the beach lying between a given pair of such red flags.
 - 2. Distances From Shore: No person shall use, possess or operate in the waters of the Pacific Ocean opposite any beach regulated by this chapter any object commonly known as a surf mat, paddleboard, belly board, surfboard, or similar device except within two hundred (200) yards from shore or seventy five (75) yards seaward of the point at which the average wave is breaking, whichever distance is greater, or when used by a skin diver to hold a flag required by subsection D of this section.

3. Near Other Persons: No person shall bring or permit or allow in the waters of the Pacific Ocean opposite any beach regulated by this chapter any object commonly known as, or used as, a paddleboard or surfboard, within one hundred feet (100') of any person in the waters thereof who was not at the time using or possessing a similar object.
4. Area For Exclusive Use: Notwithstanding any provision of this section, the chief of police may from time to time designate certain areas to be used exclusively by persons using surfboards and paddleboards. Such designation may be revoked at any time and the area covered by any such designation may be enlarged or reduced at any time. No person shall swim or bathe in the waters of the Pacific Ocean included in an area so designated except while using a surfboard or paddleboard or as is necessary in order to use a surfboard or paddleboard.
5. Leaving Area During Restriction: A person in violation of the restrictions set forth in this subsection shall not fail, refuse or neglect to leave the waters of the Pacific Ocean opposite any beach regulated by this chapter when such restrictions are in force.

U. Nudity And Disrobing:

1. No person shall appear, bathe, sunbathe, walk, change clothes, disrobe or be on any beach in such manner that the genitals, vulva, pubis, pubic symphysis, pubic hair, buttocks, natal cleft, perineum, anus, anal region or pubic hair region of any person, or any portion of the breast at or below the upper edge of the areola thereof of any female person, is exposed to public view, except in those portions of a comfort station, if any, expressly set aside for such purpose.
2. This subsection shall not apply to persons under the age of ten (10) years, provided such children are sufficiently clothed to conform to accepted community standards.
3. This subsection shall not apply to persons engaged in a live theatrical performance in a theater, concert hall, or similar establishment which is primarily devoted to theatrical performances.

- V. Smoking Prohibited: It is unlawful to smoke on any public beach within the city of El Segundo. For the purpose of this section, "smoking" means inhaling, exhaling, burning, or carrying any lighted cigarette, cigar or pipe. For the purpose of this section, "beach" does not include parking lots or roadways.

SECTION 6. Amendment. Section 9-7-2– Public Library – of the El Segundo Municipal Code is hereby amended and will read as follows (deletions in ~~strikethrough~~ and additions in double underline):

- A. There is hereby established in and for the City, a public library to be known as the "El Segundo Public Library."

B. The El Segundo Board of Library Trustees is authorized and directed to adopt El Segundo Library Rules of Conduct, which are incorporated by reference into this code. The Rules of Conduct will be subject to enforcement as authorized under applicable laws, including without limitation this code and the terms of the Rules of Conduct.

SECTION 7. *Environmental Assessment.* The City Council finds that this Ordinance is not subject to the California Environmental Quality Act (“CEQA”), pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. In the alternative, the City Council finds that the Ordinance falls within the “common sense” exemption set forth in State CEQA Guidelines section 15061, subdivision (b)(3), which exempts activity from CEQA where “it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.” Here, it can be seen with certainty that there is no possibility that the Ordinance may have a significant effect on the environment because the Ordinance simply strikes an outdated reference to an overruled Ninth Circuit decision; it will not result in any development or in any new activity with the potential to impact the environment.

SECTION 8. *Severability.* If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the city council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

SECTION 9. *Effective Date.* This Ordinance shall become effective thirty (30) days after adoption.

SECTION 10. *Publication.* The City Clerk is directed to certify the passage and adoption of this Ordinance causing it to be posted as required by law.

PASSED AND ADOPTED this ____ day of _____, 2024.

Drew Boyles, Mayor

ATTEST:

Tracy Weaver, City Clerk

APPROVED AS TO FORM

By: _____
Mark D. Hensley, City Attorney



City Council Agenda Statement

Meeting Date: September 17, 2024

Agenda Heading: Consent

Item Number: B.13

TITLE:

Subcontractor Substitution for the Construction of the Urho Saari Swim Stadium/Plunge Renovation Project

RECOMMENDATION:

1. Authorize the City Manager to substitute a subcontractor other than that designated in the original bid on Agreement No. 6864 for the Urho Saari Swim Stadium/Plunge Renovation Project.
2. Alternatively, discuss and take other action related to this item.

FISCAL IMPACT:

The total budget for construction and professional support services is \$14,617,614. No additional appropriations are needed at this time.

BACKGROUND:

Per Public Contract Code § 4107, a prime contractor whose bid is accepted may not substitute a person as subcontractor in place of the subcontractor listed in the original bid, except that the awarding authority, or its duly authorized officer, may consent to the substitution of another person as a subcontractor when the listed subcontractor fails or refuses to perform his or her subcontract.

In the City's standard Public Works contract, the Contractor must have the City Council's written consent to substitute a subcontractor other than that designated in the original bid, to permit any subcontract to be assigned or transferred, or to allow a subcontract to be performed by other than the original contractor.

DISCUSSION:

On March 5, 2024, City Council awarded a standard Public Works Contract No. 6864 to Morillo Construction, Inc. (the "Contractor") in the amount of \$12,988,000, and

Replacement of a Subcontractor For the Construction of the Urho Saari Swim Stadium / Plunge Renovation Project

September 17, 2024

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additional contingency of \$1,300,000, for the construction of the Urho Saari Swim Stadium / Plunge Renovation Project, PW 24-02 (the Project"). The Contractor listed 20 qualified subcontractors in the proposal to perform various work trades, including Air Design Solutions for subcontracted heating, ventilation, and air conditioning (HVAC) work.

Recently, the Contractor notified City staff in writing that Air Design Solutions, would not be able to perform the work on the Plunge project. Air Design Solutions also consented in writing that they agree to be substituted for another subcontractor. The Contractor has requested that Air Design Solutions be dismissed from the project and replaced with AP Construction Group, Inc. dba Air Plus. City staff checked the CSLB license for AP Construction Group, Inc. dba Air Plus and found them to be in good standing.

Staff respectfully ask that the City Council authorize the City Manager to replace Air Design Solutions with AP Construction Group, Inc. dba Air Plus for the HVAC work on the Project.

CITY STRATEGIC PLAN COMPLIANCE:

Goal 1: Develop and Maintain Quality Infrastructure and Technology

Strategy A: Seek opportunities to implement and expedite the projects in the Capital Improvement Program and ensure that City-owned infrastructure is well maintained, including streets, entryways, and facilities.

PREPARED BY:

Cheryl Ebert, Senior Civil Engineer

REVIEWED BY:

Elias Sassoon, Public Works Director

APPROVED BY:

Barbara Voss, Deputy City Manager

ATTACHED SUPPORTING DOCUMENTS:

None



City Council Agenda Statement

Meeting Date: September 17, 2024

Agenda Heading: Staff Presentations

Item Number: D.14

TITLE:

Continue Emergency Action for the Repair of the Storm Drain Pipe on Grand Avenue

RECOMMENDATION:

1. Receive and file staff's report regarding the status of the emergency repairs to the storm drain pipe on Grand Avenue, west of Indiana Street.
2. Adopt a motion by four-fifths vote to determine the need to continue the emergency action approved under Resolution No. 5503.

FISCAL IMPACT:

City Council appropriated \$100,000 to #001-400-4302-6215 (General Fund - Repairs & Maintenance) on the September 3rd, 2024 City Council meeting. No additional appropriations are needed at this time.

BACKGROUND:

After authorizing the award of a contract without public bidding due to an emergency, state law requires that the City Council review the emergency action at each regular meeting thereafter. If the Council determines by four-fifths votes that there is a need to continue the emergency action, then such work may continue.

DISCUSSION:

On September 3, 2024, the City Council adopted Resolution No. 5503 to declare an emergency, under Public Contract Code §§ 20168 and 22050, due to a sinkhole caused by a crack developed on a storm drain lateral pipe, and approved the award of a contract to Williams Pipeline Contractors to effectuate the necessary repairs. State law requires the City Council to review the emergency action at every regularly scheduled meeting thereafter until the action is terminated, to determine, by a four-fifths vote, that there is a need to continue the action." Staff provides this report and associated presentation to facilitate the mandated emergency review.

Continue Emergency Action for Repair of the Storm Drain Pipe on Grand Avenue

September 17, 2024

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The work began on repairing the storm drain lateral pipe, including excavating to a depth of approximately 20 feet to uncover the damaged pipe. The repair of this pipe was completed on September 6, 2024, and subsequently the back-filling of the excavated pit work began. It is anticipated that the pavement will be fully restored by the time this staff report is considered on September 17, 2024, by the City Council as a receipt and file item.

Staff finds that the underlying emergency declared under Resolution No. 5503 persists till such time that the repair work is accepted by the city, and recommends that the City Council, by four-fifths vote, determine the need for the previously approved emergency action. This higher vote threshold is mandated by Public Contract Code § 22050(c).

CITY STRATEGIC PLAN COMPLIANCE:

Goal 1: Develop and Maintain Quality Infrastructure and Technology

Strategy D: Improve mobility and transportation throughout the City.

Goal 2: Optimize Community Safety and Preparedness

Strategy C: Protect and prepare the El Segundo Community and staff for any emergency, disaster, or environmental violation.

Strategy D: Ensure that the community feels safe and is satisfied with the services of the El Segundo Police Department.

PREPARED BY:

Cheryl Ebert, Senior Civil Engineer

REVIEWED BY:

Elias Sassoon, Public Works Director

APPROVED BY:

Barbara Voss, Deputy City Manager

ATTACHED SUPPORTING DOCUMENTS:

1. RESOLUTION 5503

RESOLUTION NO. 5503

A RESOLUTION ADOPTED PURSUANT TO PUBLIC CONTRACTS CODE § 20168 FINDING THAT AN EMERGENCY HAS EXISTED WITHIN THE CITY, AUTHORIZING CONTRACTING WITHOUT THE NEED FOR BIDDING PURSUANT TO PUBLIC CONTRACTS CODE § 22050

The City Council does resolve as follows:

SECTION 1: The City Council finds and declares as follows:

- A. Pursuant to Public Contracts Code § 20168, the City Council may, upon a four-fifths vote, declare that public interest and necessity demand the immediate expenditure of public money to safeguard life, health, or property because of an emergency.
- B. In accordance with Public Contracts Code §§ 20168 and 22050, the City Council may repair or replace a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts.
- C. On August 15, 2024, a sudden, unforeseen collapse occurred on a City storm drain line located in Grand Avenue approximately 10-ft west of the intersection of Grand Avenue and Indiana Street.
- D. In compliance with applicable law, and to protect public, health, safety and welfare, the City took immediate emergency action to cause the storm drain to be repaired beginning on August 15, 2024.
- E. The utility line collapse created a sudden, unexpected occurrence that poses a clear and imminent danger to City property, its citizens, and employees. This threat required immediate action to prevent or mitigate the loss or impairment of essential public services.
- F. Under such emergency conditions, the City Council finds that the delay resulting from public bidding would imperil essential public services.

SECTION 2: *Approval; Delegation.* The City Council approves the expense of \$100,000 from the General Fund for the time and materials contracting cost required for the repairs required to remediate the emergency described in Section 1, above. The City Manager or designee is authorized to execute agreements or other associated documents, in forms approved by the City Attorney, to effectuate the necessary repairs.

SECTION 3: In light of the emergency described above, the City Council directs the City Manager, or designee, to take all steps necessary to protect public health, safety and welfare including, without limitation, awarding and signing contracts in accordance with Public Contracts Code § 22050.


SECTION 4: This Resolution will become retroactively effective immediately upon adoption and remain effective unless superseded by a subsequent resolution.

SECTION 5: Pursuant to Public Contracts Code § 22050(c), the City Council will review this emergency action at its next regularly scheduled meeting and at every regularly scheduled meeting thereafter until the work described above is completed. The Council must determine by a four-fifths vote that there is a need to continue the work at each meeting or terminate the action at the earliest possible date that conditions warrant.

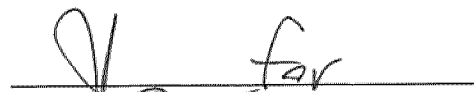
PASSED AND ADOPTED this 3rd day of September, 2024.


Drew Boyles, Mayor

ATTEST:


Tracy Weaver, City Clerk

APPROVED AS TO FORM


Mark D. Hensley, City Attorney

RESOLUTION 5503
PAGE 2 of 3

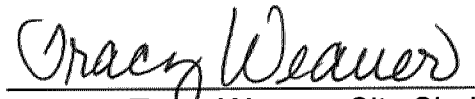
CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF EL SEGUNDO)

I, Tracy Weaver, City Clerk of the City of El Segundo, California, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Resolution No. 5503 was duly passed, approved, and adopted by said City Council at a regular meeting held on the 3rd day of September, 2024, approved and signed by the Mayor, and attested to by the City Clerk, by the following vote:

AYES: Mayor Boyles, Mayor Pro Tem Pimentel, Council Member Pirsztuk, Council
 Member Giroux and Council Member Baldino
NOES: None
ABSENT: None
ABSTAIN: None

WITNESS MY HAND THE OFFICIAL SEAL OF SAID CITY this 3rd day of September, 2024.



Tracy Weaver, City Clerk
of the City of El Segundo,
California



City Council Agenda Statement

Meeting Date: September 17, 2024

Agenda Heading: Staff Presentations

Item Number: D.15

TITLE:

Recreation Park Renovation Project Phase One - Proposed Teen Plaza Renovation Options

RECOMMENDATION:

1. Direct staff to move forward with Option 1, 2, or 3 for the Teen Plaza renovations.
2. Alternatively, discuss and take other action related to this item.

FISCAL IMPACT:

The estimated cost for renovation of the Teen Plaza was included in the adopted FY 2024-25 Budget as part of the overall Recreation Park Projects budget.

Amount Budgeted: \$8,704,848.97

Additional Appropriation: None

Account Number(s): 301-400-8202-8421 (Capital Improvement Fund: Recreation Park Projects)

The estimated costs for each of the three options for the renovation of the Teen Plaza are as follows:

Option 1: \$1,291,950

Option 2: \$1,602,450

Option 3: \$1,674,000

BACKGROUND:

On August 31, 2022, a Joint Meeting of the City Council and Recreation and Parks Commission was held at the Joslyn Center to consider options for moving ahead with a variety of improvements to Recreation Park. At the meeting, the City Council and the Recreation and Parks Commission directed staff to retain the existing layout of Recreation Park while making needed upgrades using a phased approach. This would

Teen Plaza Renovation Options

September 17, 2024

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include making a series of renovations and updates to each facility or amenity over time as funding is available.

In April 2023, the City executed an agreement with architectural design firm, LPA, Inc. to provide conceptual design plans for Phase One of the Recreation Park Renovation Project. The projects included in Phase One were determined to be:

1. Renovations to the Teen Center Interior and Teen Plaza, including the basketball/multi-use court and skate park.
2. Renovations of the pickleball, tennis, volleyball and paddle ball courts.
3. Renovations to Stevenson, George Brett and softball fields, including irrigation improvements.
4. Demolition and re-design of lawn bowling, horseshoes and bag toss areas.

In September 2023, staff returned to the City Council to present conceptual designs and Rough Order of Magnitude costs provided by LPA for the tasks below:

Task	Basic Option	Upgraded Options
George Brett & Softball Fields	\$4.4 million	\$9.5 million
Stevenson Field	\$3.8 million	
New LED lighting per field	\$2 million	
Pickleball, Tennis, Volleyball and Paddle Ball Courts	\$3.8 million	\$5.1 million
Teen Center Interior	\$3.6 million	\$4.8 million
Teen Plaza (Skate Park and Basketball/Multi-Use Court)	\$4.2 million	
Shuffleboard/Bag Toss	\$1.5 million	

The Council ultimately directed staff to focus on the following tasks of the Phase One Improvements: renovations to the Teen Center Interior, Teen Plaza, George Brett Field and the softball field, without new LED lighting.

After staff was unable to reach an agreeable proposal for ongoing services with LPA, Inc., MIG was selected in March 2024 to complete final plans and specifications for the selected tasks. The initial cost estimate from MIG for the selected tasks was \$13.5 million. The City Council further prioritized the tasks within Phase One and directed staff to begin the Teen Center and Teen Plaza renovations.

Teen Plaza Renovation Options

September 17, 2024

Page 3 of 5

During early discussions about proposed renovations to the Teen Center and Teen Plaza, City Council considered the possibility of relocating the skate park to another site within Recreation Park. However, after surveying the teens, the Park Renovation Subcommittee, and the Recreation Park Commission, it was determined that there was no support for moving the skate park outside the Teen Plaza. Staff was then directed to establish the footprint of the Teen Plaza prior to focusing on the interior improvements of the Teen Center. In subsequent meetings with the Park Renovation Subcommittee and the Recreation and Parks Commission, MIG presented three options for the Teen Plaza improvements:

Option 1:

Retain the footprint of the Teen Plaza, including upgrades to the skate park and cosmetic repairs to the basketball/multi-use court surface, with no regrading.

- Estimated multi-use court and non-programmed space square footage: 7,000 sq.ft.
- Estimated skate park square footage: 6,650 sq.ft.
- Estimated Cost: \$1,291,950

Option 2:

Retain the general footprint of the Teen Plaza but include complete demolition of both the skate park and the basketball/multi-use court to allow for grading and a new concrete basketball/multi-use court. This option also includes resizing the basketball/multi-use court and shifting its orientation slightly.

- Estimated multi-use court and non-programmed space square footage: 6,560 sq.ft.
- Estimated skate park square footage: 7,090 sq.ft.
- Estimated Cost: \$1,602,450

Option 3:

Reconfigure the footprint of the Teen Plaza to shift the basketball/multi-use court north, therefore eliminating some non-programmed space between the court and the north fence line of the Teen Plaza. This option includes complete demolition of both the skate park and the basketball/multi-use court to allow for regrading a new concrete basketball/multi-use court.

- Estimated multi-use court and non-programmed space square footage: 6,443 sq.ft.
- Estimated skate park square footage: 7,207 sq.ft.
- Estimated Cost: \$1,674,000.00

Teen Plaza Renovation Options

September 17, 2024

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Park Renovation Subcommittee Discussion and Recommendation

During meetings with the Park Renovation Committee, the members discussed a preference for retaining as much non-programmed space as possible for the teens to "hang out" and participate in a variety of self-directed activities. The PRC expressed a desire to ensure that the focus of the redesign is on what's best for the largest teen community, not just those who use the skate park. Ultimately, the PRC voted 4-1 to recommend Option 2 to the Recreation and Parks Commission and City Council.

Recreation and Parks Commission Discussion and Recommendation

During meetings with the Recreation and Parks Commission, the members discussed a preference for ensuring the project was done well with attention to quality and aesthetics that would be inviting to skateboarders, non-skateboarders and others who visited the teen center. The Commission also expressed a desire for the skate park design to focus on teens and younger residents as opposed to adults. Ultimately, the Recreation and Parks Commission voted 4-0 to recommend Option 2 to City Council.

Teen Advisory Committee Discussion and Feedback

The Teen Advisory Committee met on September 9, 2024 and voted 5-1 for Option 2.

The teens expressed a preference for flexible space over additional square footage for the skate park.

Staff Discussion and Feedback

During discussions with current Recreation, Parks and Library staff, there was a consensus that all amenities need upgrades. A total of 11 staff, including current and former Teen Center staff, and part-time and full-time employees, were asked to vote on Options 1, 2 and 3. Ultimately, six staff members selected Option 2 and five staff members selected Option 3, indicating a slight preference for Option 2.

DISCUSSION:

Below is a brief summary of each Option in more detail for the Council's consideration.

Option 1:

Option 1 would leave the dimensions and orientation of the basketball court and black top as is. The court surface would receive joint filler where soil exposure has occurred, asphalt will be resurfaced, and the court would be re-stripped. This option includes partial demolition of the exterior space while preserving the perimeter retaining walls. While saving costs, this design limits the entry plaza and interior to court connections. The skate park dimensions would stay the same, potentially limiting new features for the park.

Option 2:

Option 2 would slightly change the dimensions of both the skate park and the basketball/multi-use court and non-programmed space to the north. The court area

Teen Plaza Renovation Options

September 17, 2024

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would be reduced by 442 sq. ft. to meet junior high regulations, and the positioning would be rotated slightly north. There would be a complete demolition of the outdoor space, including new surface, poles, backboards, seating, and spectator areas, while preserving the perimeter retaining walls. The additional area obtained by reducing the court footprint would add seating. This design allows for an open area between the Teen Plaza, the interior of the Teen Center, and the parking lot.

Option 3:

With Option 3, the basketball/multi-use court area would be reduced by 442 sq.ft. to meet junior high regulations, and the positioning is rotated slightly north. There would be a complete demo of the outdoor space including new poles, backboards, seating, access, and spectator areas. There would also be a larger concrete platform area outside the Teen Center rollup doors which creates additional programming space, and a larger entrance corridor from the drop-off area on Grand Ave. This option would allow for the largest skate park. The larger skate park would allow for significant additions to the skate park features, but would eliminate the non-programmed space north of the current court.

CITY STRATEGIC PLAN COMPLIANCE:

Goal 1: Develop and Maintain Quality Infrastructure and Technology

Strategy A: Seek opportunities to implement and expedite the projects in the Capital Improvement Program and ensure that City-owned infrastructure is well maintained, including streets, entryways, and facilities.

PREPARED BY:

Aly Mancini, Recreation, Parks and Library Director

REVIEWED BY:

Aly Mancini, Recreation, Parks and Library Director

APPROVED BY:

Barbara Voss, Deputy City Manager

ATTACHED SUPPORTING DOCUMENTS:

None



City Council Agenda Statement

Meeting Date: September 17, 2024

Agenda Heading: Staff Presentations

Item Number: D.16

TITLE:

Third and Fourth Quarter Fiscal Year 2023-24 Financial Report

RECOMMENDATION:

1. Receive and file financial review for FY 2023-24 third and fourth quarters.
2. Alternatively, discuss and take other action related to this item.

FISCAL IMPACT:

None

BACKGROUND:

On June 6, 2023, City Council adopted the FY 2023-24 Citywide Operating and Capital Budget of \$195,972,100 for all funds. Of this amount, \$96,064,216 was allocated to the General Fund Budget. During a fiscal year, the City Council approved additional appropriations proposed by staff that became necessary after initial budget approval, which results in fluctuations throughout the fiscal year.

As of June 30, 2024, the FY 2023-24 Citywide Operating and Capital Budget was \$224,092,386 for all funds, and the General Fund Budget was \$97,520,492.

The General Fund pays for the majority of the City's basic operations, services, and general capital improvement projects. General Fund services include: public safety (police, fire, paramedics, emergency services), public works (highways, streets, engineering), community services (parks, recreation programs, senior programs, teen programs, library, arts & culture), development services (planning, building services, zoning, housing), support services (City Clerk, City Treasurer, finance, information technology, human resources), and general governance and administration (City Council, City Manager, City Attorney).

The following table provides an overview of the FY 2023-24 Citywide Budget, which

Third Quarter Fiscal Year 2023-24 Financial Report

September 17, 2024

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reflects Council-approved changes during the fiscal year and through the mid-year budget adjustment requests:

	Fund Name	FY2023-24 Adopted Budget	FY2023-24 Revised Budget	Variances
1	General Fund	\$96,064,216	\$97,520,492	\$1,456,276
2	Water Fund	31,772,572	31,837,693	65,121
3	Transportation Funds	2,599,026	17,516,794	14,917,768
4	Debt Service POBs	9,497,706	9,497,706	0
5	Wastewater Fund	6,791,056	7,804,554	1,013,498
6	General Fund CIP	18,575,000	26,839,407	8,264,407
7	Equip. Replacement Fund	18,233,737	18,383,737	150,000
8	Workers Comp. Fund	3,405,200	3,405,200	0
9	General Liability Fund	3,222,127	3,222,127	0
10	Dev. Services Trust	0	539,190	539,190
11	Public Safety Special Rev.	2,607,389	4,039,678	1,432,289
12	Other Special Rev.	1,024,592	1,035,919	11,327
13	Rec & Econ Dev Trust Fund	169,000	284,931	115,931
14	Cultural Dev. Trust Fund	298,196	298,196	0
15	Debt Service Fund	603,300	603,300	0
16	Solid Waste Fund	300,000	300,000	0
17	Senior Housing Fund	808,981	963,461	154,480
18	Golf Fund	0	0	0
19	Economic Uncertainty	0	0	0
	Total	\$195,972,100	\$224,092,386	\$28,120,288

DISCUSSION:

After twelve months of fiscal activity (July 2023–June 2024), the City’s budget has preliminarily come in as expected and there are no fiscal concerns to report.

A more comprehensive look and review of the City’s financial performance and of additional fund activity will be included in the City’s official FY 2023-24 Annual Comprehensive Financial Report (ACFR) which will be presented to City Council at a future date.

Please refer to the attached report for discussion of the 3rd and 4th Quarter Fiscal Year 2023-24 Financial Report.

CITY STRATEGIC PLAN COMPLIANCE:

Third Quarter Fiscal Year 2023-24 Financial Report

September 17, 2024

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Goal 5: Champion Economic Development and Fiscal Sustainability

Strategy A: Identify opportunities for new revenues, enhancement of existing revenues, and exploration of potential funding options to support programs and projects.

PREPARED BY:

Liz Lydic, Management Analyst

REVIEWED BY:

Paul Chung, Chief Financial Officer

APPROVED BY:

Barbara Voss, Deputy City Manager

ATTACHED SUPPORTING DOCUMENTS:

1. FY 2023-24 3rd and 4th Quarter Financial Report
2. 3rd & 4th Quarter Fiscal Year 2023-2024 Financial Report - presentation



Finance Department Memorandum

350 Main Street El Segundo, CA 90245
Phone 310-524-2300 | www.elsegundo.org

To: Honorable Mayor Boyles and Members of City Council

From: Darrell George, City Manager & Paul Chung, Chief Financial Officer

Date: September 3, 2024

Subject: Fiscal Year 2023-24 3rd and 4th Quarter Financial Report (April 1, 2024 - June 30, 2024)

BACKGROUND/EXECUTIVE SUMMARY:

The purpose of this report is to provide the City Council and the public with a report of financial activity for the third and fourth quarter of Fiscal Year (FY) July 1, 2023 - June 30, 2024. The financial data is unaudited and will most likely change as staff officially closeout the fiscal year and go through the annual audit process. The City's audited financial performance and additional fund activity will be included in the City's official FY 2023-24 Annual Comprehensive Financial Report (ACFR) which will be presented to City Council at a future date.

During the fiscal year, additional expenditures are appropriated following City Council approval, which results in fluctuations from the adopted budget; those changes are included when 'revised full year budget' is referenced.

Twelve months of activity in FY 2023-24 shows that overall, the City's General Fund budget came in as expected and there are no fiscal concerns to report.

The City's significant General Fund revenue sources such as Sales and Use Tax, Business License, Transient Occupancy Tax, Property Tax, and Utility Users' Taxes, which equate to 73% of the General Fund revenue budget, were, as a whole, received as expected and are consistent with the year-end General Fund revenue projections provided at the Second Budget Study Session on May 21, 2024.

The following is a brief review of notable General Fund activity for the 12 months of FY 2023-24 (July 1, 2023 – June 30, 2024):

- The City has received \$95.4M, or 107% of the FY 2023-24 General Fund revised budget revenue. In this same time period in the previous fiscal year, the City had received \$96.3M, or 115% of General Fund revenue.
- The City has expended \$97.4M, or 99% (excluding encumbrances) of the FY 2023-24 General Fund budget expenditures. In this same time period in the previous fiscal year, the City had expended \$83.5M, or 94% of General Fund appropriations.

Quarterly Financial Review
September 3, 2024
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DISCUSSION:

FY 2023-24 General Fund Revenue Third & Fourth Quarters

The following tables reflect actual General Fund revenues received in the fiscal year compared to the previous fiscal year.

Fiscal Year 2023-24					
	Revenue Source	Actual Revenues Received Through Q3 & Q4	Revised Full Year Budget	Variance in Dollar	Percentage Received
1	Sales & Use Tax (a)	\$15,342,764	\$14,750,000	\$592,764	104%
2	Business License	14,163,909	14,300,000	(136,091)	99%
3	Transient Occupancy Tax	12,818,232	12,750,000	68,232	101%
4	Property Tax (b)	13,360,447	12,539,805	820,642	107%
5	Chevron Tax Reso Agreement (c)	3,476,513	5,500,000	(2,023,487)	63%
6	Utility User Tax (UUT)	10,733,353	10,634,000	99,353	101%
7	Charges for Services	5,138,394	5,077,040	61,354	101%
8	Transfers In	50,000	50,000	0	100%
9	Franchise Tax (d)	6,587,616	4,200,000	2,387,616	157%
10	Other Revenues	3,550,332	3,668,688	(118,356)	97%
11	Intergovernmental	190,604	130,000	60,604	147%
12	License & Permits (e)	2,876,903	2,302,000	574,903	125%
13	Interest & Rental Income (f)	6,731,467	2,867,620	3,863,847	235%
14	Fines & Forfeitures	382,585	327,101	55,484	117%
Total General Fund Revenues		\$95,403,120	\$89,096,254	\$6,306,866	107.08%

Fiscal Year 2022-23			
	Revenue Source	Actual Revenues Received Through Q3 & Q4	Revised Full Year Budget
1	Sales & Use Tax	\$17,424,472	\$14,600,000
2	Business License	12,769,963	11,300,000
3	Transient Occupancy Tax	14,143,605	12,500,000
4	Property Tax	12,611,051	12,236,160
5	Chevron Tax Reso Agreement	5,865,512	7,578,805
6	Utility User Tax (UUT)	11,972,721	7,591,907
7	Charges for Services	5,663,631	4,797,150
8	Transfers In	207,875	2,191,733
9	Franchise Tax	5,738,792	3,500,000

Quarterly Financial Review
September 3, 2024
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10	Other Revenues	2,517,060	2,163,683
11	Intergovernmental	182,395	168,006
12	License & Permits	3,125,736	2,200,000
13	Interest & Rental Income	3,738,163	2,874,000
14	Fines & Forfeitures	386,774	376,766
Total General Fund Revenues		\$96,347,749	\$84,078,210

Footnotes:

(a) Sales Tax came in 4% higher than the revised budget as local economy show resilience post COVID pandemic.

(b) Property Tax came in 7% higher than the revised budget as property value in El Segundo continues to be robust. Sales volume decreased year over year due to higher mortgage rates, but median home prices rose steadily due to demand and also limited supply driving up prices.

(c) The Chevron Tax Resolution Agreement (TRA) trueup payment came in less than what was budgeted; however, the payments made to other tax sources ensure the full tax agreement amount has been received this fiscal year. The City received \$15.1M per the TRA.

(d) Franchise Tax revenues came in higher than anticipated due to higher natural gas prices from Southern California Gas.

(e) License & Permits higher than anticipated due to increased demand for permits and plan checks. Staff anticipates the volume to peak in 2024 and level off into 2025 due to higher construction costs.

(f) Interest & Rental Income revenues were the bright spot for FY 2023-24 as the City invested into higher yielding investments. Staff does not anticipate this level of growth moving forward as interest rates have peaked and is assumed to start coming down.

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FY 2023-24 General Fund Expenditures Third and Fourth Quarters

The following tables reflect actual General Fund appropriations expended in the fiscal year compared to the previous fiscal year.

Fiscal Year 2023-24					
	Expenditure Source	Actual Expenditures Received Through Q3 & Q4	Revised Full Year Budget	Variance in Dollar*	Percentage Expended*
1	Police (a)	\$21,666,606	\$21,709,601	\$42,995	99%
2	Fire (a)	14,429,882	14,514,832	84,950	99%
3	Transfers Out (b)	23,082,481	18,485,950	(4,596,531)	125%
4	Public Works	8,263,312	9,053,951	790,640	91%
5	Non-departmental (c)	8,205,722	7,067,314	(1,138,407)	116%
6	Recreation, Parks & Library (d)	8,347,699	9,572,344	1,224,645	88%
7	Community Development	2,620,881	3,802,120	1,181,239	69%
8	Information Technology	2,708,541	3,953,008	1,244,467	69%
9	City Manager	2,743,790	2,903,270	159,479	95%
10	Finance	2,622,142	2,754,376	132,234	95%
11	Human Resources	1,348,695	2,116,401	767,706	64%
12	City Attorney	892,282	835,450	(56,832)	107%
13	City Clerk	351,916	516,545	164,629	68%
14	City Council	202,623	235,329	32,706	86%
15	Winter Storm 2024	2,558	0	(2,558)	0%
Total General Fund Expenditures		\$97,489,131	\$97,520,492	\$31,362	99.97%

*Does not include encumbrances

Fiscal Year 2022-2023			
	Expenditure Source	Actual Expenditures Received Through Q3 & Q4	Revised Full Year Budget
1	Police	\$20,039,722	\$21,628,246
2	Fire	12,876,872	14,023,884
3	Transfers Out	13,743,114	13,985,120
4	Public Works	7,231,096	7,726,770
5	Non-departmental	6,699,396	6,328,801
6	Recreation, Parks & Library	8,427,089	8,742,569
7	Community Development	2,790,513	3,828,989
8	Information Technology	3,494,004	3,769,902
9	City Manager	2,602,671	2,813,002
10	Finance	2,489,085	2,576,680

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September 3, 2024
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11	Human Resources	1,586,742	1,687,391
12	City Attorney	1,072,592	770,450
13	City Clerk	387,475	568,511
14	City Council	257,563	253,018
15	COVID-19 Reimbursements	(168,652)	0
Total General Fund Expenditures		\$83,529,282	\$88,703,333

Footnotes:

(a) Police and Fire Departments overall actuals were inline with their revised budget. There were various budget adjustments made from budget savings to align the departments overall budget.

(b) Transfers-Out exceeded budget due to a transfer from the General Fund for the Plunge, and for the Little League World Series Championship parade and events.

(c) Non-Departmental expenditures exceeded the budget due to Vacation and Sick payouts, group insurance, bank service charges, credit card fees, and the Golf Course Loan payment to the Equipment Replacement Fund, which does not have a budgeted amount due to internal accounting procedures.

(d) Recreation, Parks and Library was underbudget in salaries (primarily part-time) and benefits in Operations, Aquatics, Teen Center and Wiseburn Aquatic Center divisions.

FY 2023-24 All Funds Revenue Third & Fourth Quarters

The following table reflects actual revenues for all funds received in the fiscal year compared to the adopted and revised budgets.

Fiscal Year 2023-24					
	Fund Name	Actual Revenues to Date	Revised Full Year Budget	Variance in Dollar	Percentage Received
1	General Fund (a)	\$95,403,120	\$89,096,254	\$6,306,866	107%
2	Water Fund (b)	34,017,272	36,850,000	(2,832,728)	92%
3	Transportation Funds (c)	2,574,382	2,254,935	319,447	114%
4	Debt Service POBs	9,497,706	9,497,716	(10)	100%
5	Wastewater Fund (d)	5,925,573	5,350,000	575,573	111%
6	General Fund CIP (e)	15,665,944	8,432,500	7,233,444	186%
7	Equip. Replacement Fund	2,870,550	2,817,713	52,837	102%
8	Workers Comp. Fund (f)	3,594,062	3,235,881	358,181	111%
9	General Liability Fund	3,100,000	3,115,000	(15,000)	100%
10	Dev. Services Trust	282,780	270,000	12,780	105%

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September 3, 2024
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11	Public Safety Special Rev.	1,685,276	1,266,231	419,045	133%
12	Other Special Rev.	791,038	795,700	(4,662)	99%
13	Rec & Econ Dev Trust Fund	1,174,132	1,066,980	107,152	110%
14	Cultural Development Fund	221,948	500,000	(278,052)	44%
15	Debt Service Fund	63,786	367,200	(303,414)	17%
16	Solid Waste Fund	600,000	600,000	0	100%
17	Senior Housing Fund	255,393	203,099	52,294	126%
18	Golf Fund	0	0	0	0%
19	Economic Uncertainty	0	0	0	0%
	Total	\$177,722,963	\$165,719,209	\$12,003,754	107.24%

Footnotes:

(a) General Fund revenues came in 7% higher than the revised budget as Sales Tax, Property Tax, Franchise Tax, License & Permits, and Interest Income came in a lot stronger than anticipated. The City benefits from a diverse revenue stream, protecting the City from potential economic downturns.

(b) Water Fund revenues were less than the revised budget as the City purchased less water than anticipated from West Basin. Water conservation continues to lower purchasing of water from West Basin.

(c) Transportation Fund revenues were higher than anticipated due to higher transportation revenues coming in from LACMTA.

(d) Wastewater Fund revenues were higher than anticipated due to the revised budget being set too low. The budget was adjusted in FY 2024- 25.

(e) General Fund CIP revenues were higher due to the transfer in of the Plunge funding from the General Fund CIP reserves.

(f) Workers Comp Fund was higher due to higher than anticipated workers comp cases. This is a transfers in to pay for workers comp cases.

FY 2023-24 All Funds Appropriations Third & Fourth Quarters

The following table reflects actual appropriations for all funds expended in the fiscal year compared to the adopted and revised budgets.

Fiscal Year 2023-24					
	Fund Name	Actual Expenditures to Date	Revised Full Year Budget	Variance in Dollar*	Percentage Expended*

Quarterly Financial Review
September 3, 2024
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1	General Fund	\$97,489,131	\$97,520,492	(\$31,362)	100%
2	Water Fund	31,438,880	31,837,693	(398,813)	99%
3	Transportation Funds (a)	10,138,564	17,516,794	(7,378,230)	58%
4	Debt Service POBs	9,485,550	9,497,706	(12,156)	100%
5	Wastewater Fund (b)	5,746,924	7,804,554	(2,057,630)	74%
6	General Fund CIP (c)	1,459,442	26,839,407	(25,379,965)	5%
7	Equip. Replacement Fund (d)	1,376,989	18,383,737	(17,006,748)	7%
8	Workers Comp. Fund	2,765,561	3,405,200	(639,639)	81%
9	General Liability Fund	2,693,041	3,222,127	(529,086)	84%
10	Dev. Services Trust	538,799	539,190	(391)	100%
11	Public Safety Special Rev. (e)	2,086,977	4,039,678	(1,952,701)	52%
12	Other Special Rev.	231,716	1,035,919	(804,202)	22%
13	Rec & Econ Dev Trust Fund	2,675,215	284,931	2,390,284	939%
14	Cultural Dev. Trust Fund	134,841	298,196	(163,355)	45%
15	Debt Service Fund	524,062	603,300	(79,238)	87%
16	Solid Waste Fund	288,102	300,000	(11,898)	96%
17	Senior Housing Fund	811,743	963,461	(151,718)	84%
18	Golf Fund	0	0	0	0%
19	Economic Uncertainty	0	0	0	0%
	Total	\$169,885,538	\$224,092,386	(\$54,206,847)	75.81%

Footnotes:

(a) Transportation Fund spent less than budget as various Transportation Fund funded CIP projects were not completed and rolled in FY 2024-25.

(b) Water Fund spent less than budget as various Water Fund funded CIP projects were not completed and rolled in FY 2024-25.

(c) General Fund CIP spent less than budget as various CIP projects were not completed and rolled in FY 2024-25, largest project being the Plunge.

(d) Equipment Replacement Fund spent less than budget due to various equipments not being replaced in FY 2023-24 and rolled into FY 2024-25.

(e) Public Safety Special Revenue Fund include the following funds: Asset Foreiture, COPS, PSAF Property Tax Public Safety, and CUPA. Overall, the fund spent less than what was planned. The funds not spent will roll back into the fund balance and reappropriated.

CONCLUSION

After twelve months (July 1, 2023 - June 30, 2024), the City's budget has preliminarily come in as expected and there are no fiscal concerns to report.

Quarterly Financial Review

September 3, 2024

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The ACFR will be presented to the Council early next year to provide audited financials.

RECOMMENDATION

Staff recommends that the City Council receive and file the Third & Fourth Quarter Fiscal Year 2023-24 Financial Report.



FY 2023-24 3rd and 4th Quarter Financial Report

September 17, 2024

PRESENTATION AGENDA

1. **FY 2023-24** Third and Fourth Quarter (Q3 and Q4) -
Financial Report
2. **Staff Recommendation:** Receive and file the Third
and Fourth Quarter (Q3 and Q4) Financial Report

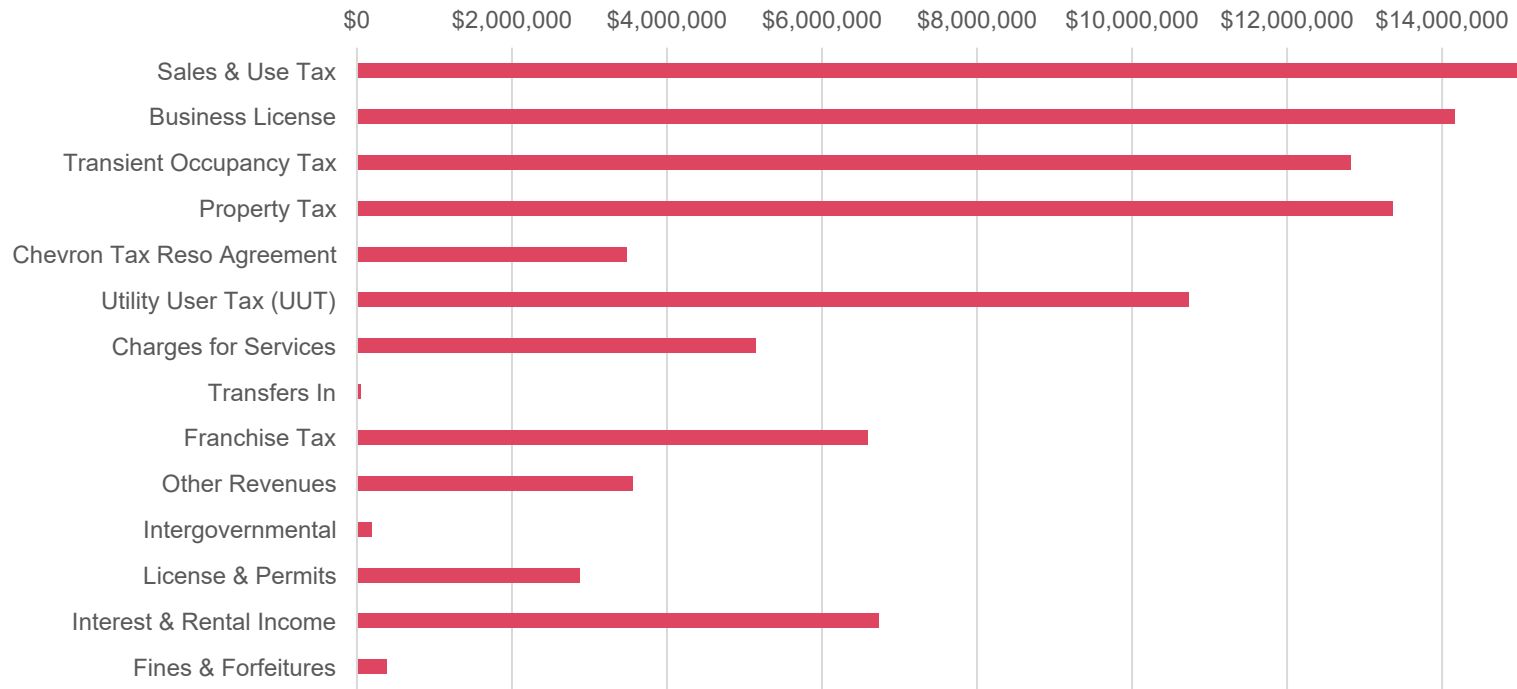
FY 2023-24 Q3 and Q4 - Financial Report

Q3 & 4: GENERAL FUND – REVENUE (HIGHLIGHTS)

- General Fund had realized **\$95.4M** or **107%** revenues in the current fiscal year versus **\$96.3M** or **115%** in the previous fiscal year
- The combined big 5 revenues sources collectively exceeded budget by **2%**.
- Annual audit (completed by end of calendar year) will provide final year-end financial picture

Q3 & 4: GENERAL FUND REVENUE

Total General Fund Revenues Actuals: \$95,403,120



FY 2023-24 GENERAL FUND REVENUES

Fiscal Year 2023-24					
	Revenue Source	Actual Revenues Received Through Q3 & Q4	Revised Full Year Budget	Variance in Dollar	Percentage Received
1	Sales & Use Tax	\$15,342,764	\$14,750,000	\$592,764	104%
2	Business License	14,163,909	14,300,000	(136,091)	99%
3	Transient Occupancy Tax	12,818,232	12,750,000	68,232	101%
4	Property Tax	13,360,447	12,539,805	820,642	107%
5	Chevron Tax Reso Agreement	3,476,513	5,500,000	(2,023,487)	63%
6	Utility User Tax (UUT)	10,733,353	10,634,000	99,353	101%
7	Charges for Services	5,138,394	5,077,040	61,354	101%
8	Transfers In	50,000	50,000	0	100%
9	Franchise Tax	6,587,616	4,200,000	2,387,616	157%
10	Other Revenues	3,550,332	3,668,688	(118,356)	97%
11	Intergovernmental	190,604	130,000	60,604	147%
12	License & Permits	2,876,903	2,302,000	574,903	125%
13	Interest & Rental Income	6,731,467	2,867,620	3,863,847	235%
14	Fines & Forfeitures	382,585	327,101	55,484	117%
Total General Fund Revenues		\$95,403,120	\$89,096,254	\$6,306,866	107.08%

FY 2023-24 ALL FUND REVENUES

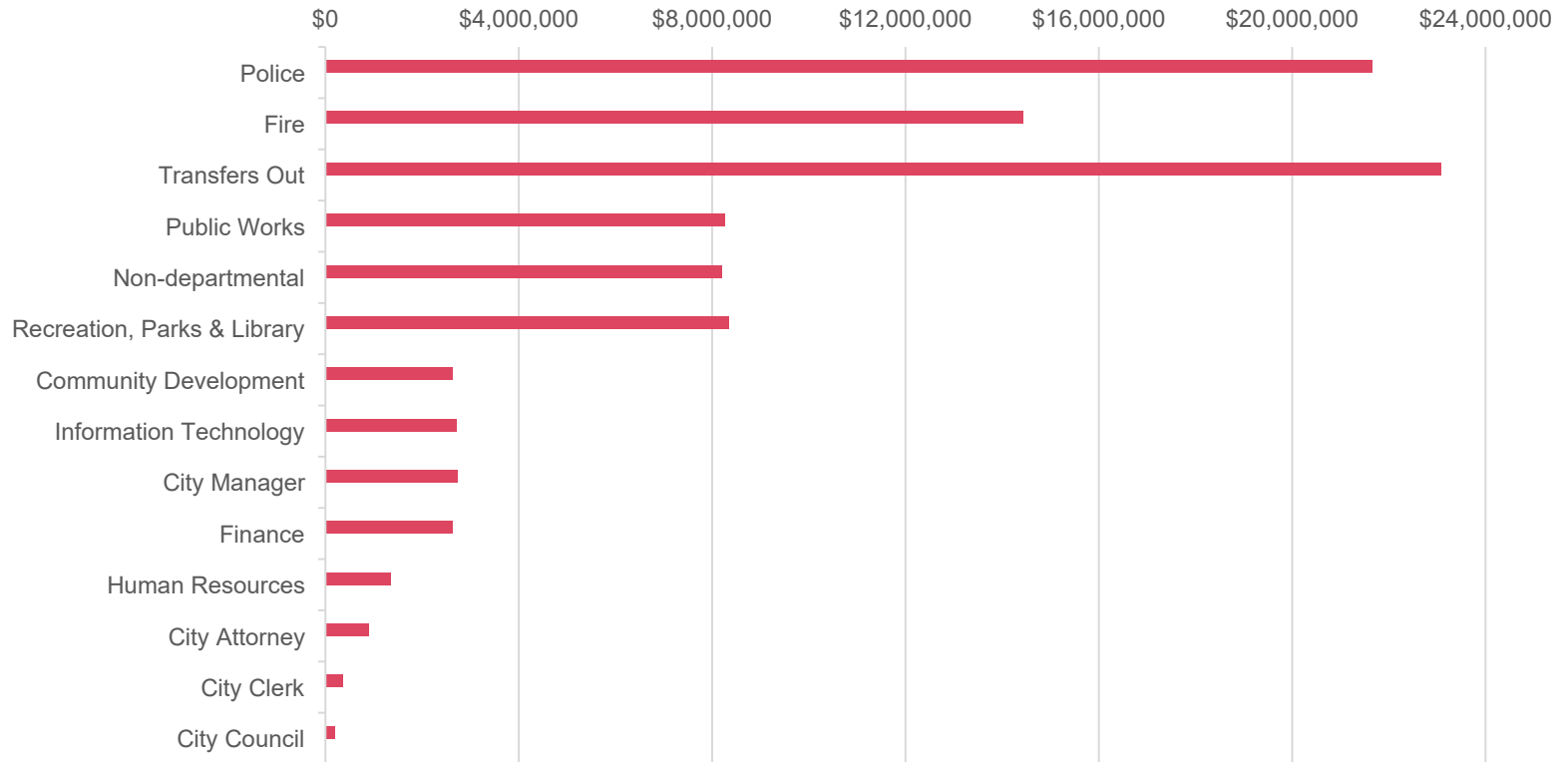
Fiscal Year 2023-24					
	Fund Name	Actual Revenues to Date	Revised Full Year Budget	Variance in Dollar	Percentage Received
1	General Fund	\$95,403,120	\$89,096,254	\$6,306,866	107%
2	Water Fund	34,017,272	36,850,000	(2,832,728)	92%
3	Transportation Funds	2,574,382	2,254,935	319,447	114%
4	Debt Service POBs	9,497,706	9,497,716	(10)	100%
5	Wastewater Fund	5,925,573	5,350,000	575,573	111%
6	General Fund CIP	15,665,944	8,432,500	7,233,444	186%
7	Equip. Replacement Fund	2,870,550	2,817,713	52,837	102%
8	Workers Comp. Fund	3,594,062	3,235,881	358,181	111%
9	General Liability Fund	3,100,000	3,115,000	(15,000)	100%
10	Dev. Services Trust	282,780	270,000	12,780	105%
11	Public Safety Special Rev.	1,685,276	1,266,231	419,045	133%
12	Other Special Rev.	791,038	795,700	(4,662)	99%
13	Rec & Econ Dev Trust Fund	1,174,132	1,066,980	107,152	110%
14	Cultural Development Fund	221,948	500,000	(278,052)	44%
15	Debt Service Fund	63,786	367,200	(303,414)	17%
16	Solid Waste Fund	600,000	600,000	0	100%
17	Senior Housing Fund	255,393	203,099	52,294	126%
18	Golf Fund	0	0	0	0%
19	Economic Uncertainty	0	0	0	0%
	Total	\$177,722,963	\$165,719,209	\$12,003,754	107.24%

Q3 & 4: GENERAL FUND – EXPENDITURE (HIGHLIGHTS)

- General Fund has expended **\$97.4M** or **99%** versus **\$83.5M** or **94%**
- Departmental vacancies continues to be high, vacancy rate close to 10%+
- O&M costs are on pace with budget
- Annual audit (completed by end of calendar year) will provide final year-end financial picture

Q3 & 4: GENERAL FUND EXPENDITURES

Total General Fund Expenditures Actuals: \$97,489,131



FY 2023-24 GENERAL FUND EXPENDITURES

Fiscal Year 2023-24					
	Expenditure Source	Actual Expenditures Received Through Q3 & Q4	Revised Full Year Budget	Variance in Dollar*	Percentage Expended*
1	Police	\$21,666,606	\$21,709,601	\$42,995	99%
2	Fire	14,429,882	14,514,832	84,950	99%
3	Transfers Out	23,082,481	18,485,950	(4,596,531)	125%
4	Public Works	8,263,312	9,053,951	790,640	91%
5	Non-departmental	8,205,722	7,067,314	(1,138,407)	116%
6	Recreation, Parks & Library	8,347,699	9,572,344	1,224,645	88%
7	Community Development	2,620,881	3,802,120	1,181,239	69%
8	Information Technology	2,708,541	3,953,008	1,244,467	69%
9	City Manager	2,743,790	2,903,270	159,479	95%
10	Finance	2,622,142	2,754,376	132,234	95%
11	Human Resources	1,348,695	2,116,401	767,706	64%
12	City Attorney	892,282	835,450	(56,832)	107%
13	City Clerk	351,916	516,545	164,629	68%
14	City Council	202,623	235,329	32,706	86%
15	Winter Storm 2024	2,558	0	(2,558)	0%
Total General Fund Expenditures		\$97,489,131	\$97,520,492	\$31,362	99.97%
*Does not include encumbrances					

FY 2023-24 ALL FUND EXPENDITURES

Fiscal Year 2023-24					
	Fund Name	Actual Expenditures to Date	Revised Full Year Budget	Variance in Dollar*	Percentage Expended*
1	General Fund	\$97,489,131	\$97,520,492	(\$31,362)	100%
2	Water Fund	31,438,880	31,837,693	(398,813)	99%
3	Transportation Funds	10,138,564	17,516,794	(7,378,230)	58%
4	Debt Service POBs	9,485,550	9,497,706	(12,156)	100%
5	Wastewater Fund	5,746,924	7,804,554	(2,057,630)	74%
6	General Fund CIP	1,459,442	26,839,407	(25,379,965)	5%
7	Equip. Replacement Fund	1,376,989	18,383,737	(17,006,748)	7%
8	Workers Comp. Fund	2,765,561	3,405,200	(639,639)	81%
9	General Liability Fund	2,693,041	3,222,127	(529,086)	84%
10	Dev. Services Trust	538,799	539,190	(391)	100%
11	Public Safety Special Rev.	2,086,977	4,039,678	(1,952,701)	52%
12	Other Special Rev.	231,716	1,035,919	(804,202)	22%
13	Rec & Econ Dev Trust Fund	2,675,215	284,931	2,390,284	939%
14	Cultural Dev. Trust Fund	134,841	298,196	(163,355)	45%
15	Debt Service Fund	524,062	603,300	(79,238)	87%
16	Solid Waste Fund	288,102	300,000	(11,898)	96%
17	Senior Housing Fund	811,743	963,461	(151,718)	84%
18	Golf Fund	0	0	0	0%
19	Economic Uncertainty	0	0	0	0%
	Total	\$169,885,538	\$224,092,386	(\$54,206,847)	75.81%

RESERVES

General Fund Reserve: 25% (\$23.1M)

Economic Uncertainty Reserve: \$2M

OPEB Reserve: \$33.4M

Pension Trust Reserve: \$5.8M

General Fund CIP Reserve: \$400k

STAFF RECOMMENDATIONS

1. **Receive and File** the Third and Fourth Quarter Fiscal Year 2023-24 Financial Report.



City Council Agenda Statement

Meeting Date: September 17, 2024

Agenda Heading: Committees, Commissions and Boards

Presentations

Item Number: E.17

TITLE:

Planning Commission Update

RECOMMENDATION:

1. Receive and file the Planning Commission update.
2. Alternatively, discuss and take other action related to this item.

FISCAL IMPACT:

None

BACKGROUND:

The City Council has set a policy to receive an annual update on the activities of all Committees, Commissions, and Boards. The Planning Commission consists of five members who are El Segundo residents. The Planning Commission makes decisions on certain land use applications, including conditional use permits (CUPs), subdivisions and variances. It also makes recommendations to City Council on General Plan amendments, adoption of specific plans and certain related development projects. Planning Commission meetings are conducted every second and fourth Thursday of the month unless otherwise specified.

DISCUSSION:

Michelle Keldorf, Chair of the Planning Commission, will provide a presentation to the City Council and will highlight the development projects, plans, and entitlements that the Planning Commission has considered over the last 18 months.

CITY STRATEGIC PLAN COMPLIANCE:

Goal 1: Develop and Maintain Quality Infrastructure and Technology

Planning Commission Update

September 17, 2024

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Strategy C: Maintain an innovative General Plan to ensure responsible growth while preserving El Segundo's quality of life and small-town character.

Goal 3: Deliver Solution-Oriented Customer Service, Communication, Diversity, Equity, and Inclusion

Strategy A: Enhance proactive community engagement program to educate and inform the public about City services, programs, and issues.

Goal 5: Champion Economic Development and Fiscal Sustainability

Strategy D: Implement community planning, land use, and enforcement policies that encourage growth while preserving El Segundo's quality of life and small-town character.

PREPARED BY:

Eduardo Schonborn, AICP, Planning Manager

REVIEWED BY:

Michael Allen, Community Development Director

APPROVED BY:

Barbara Voss, Deputy City Manager

ATTACHED SUPPORTING DOCUMENTS:

None